

## Appendix B

### Community Projects

The terms and conditions of this Appendix B to the Consent Decree have the same force and effect as if they were fully set forth in the body of that document. Pursuant to Paragraph 20 of the Consent Decree, the terms and conditions of this Appendix B are incorporated by reference into the body of the Consent Decree.

#### Appendix B-1: Community Project 1

1. Within one year of entry of the Consent Decree, upon authorization by the Forest Service, Gabriel shall complete the construction of a parking lot and trailhead access in the locations identified on the diagram included in Attachment 1 to this Appendix B-1. The parking lot and trailhead access shall be constructed as specified in Attachment 1 to this Appendix B-1.

2. Within 90 days of entry of the Consent Decree, upon authorization by the Forest Service, Gabriel and the United States Forest Service shall sign an agreement to initiate the exchange of lands set forth in Attachment 2 to this Appendix B-1, unless the United States Forest Service provides written notice of its desire to delay the signing of such an agreement.

3. Within 90 days of completion of the trailhead and relocation of the connecting trail segment, upon authorization by the Forest Service, Gabriel shall convey to the United States Forest Service the easement set forth in Attachment 3 to this Appendix B-1 for the purpose of allowing access for recreational purposes to the parking area and trailhead access to be constructed pursuant to Paragraph 1 of Appendix B-1.

4. Within 90 days of the completion of the trailhead and relocation of the connecting trail segment, upon completion of the requirements of Paragraph 3 of this Appendix B-1, the United States Forest Service shall abandon its current right-of-way across Gabriel's pasture set forth in Attachment 4 to this Appendix B-1.

**APPENDIX B  
COMMUNITY PROJECTS**

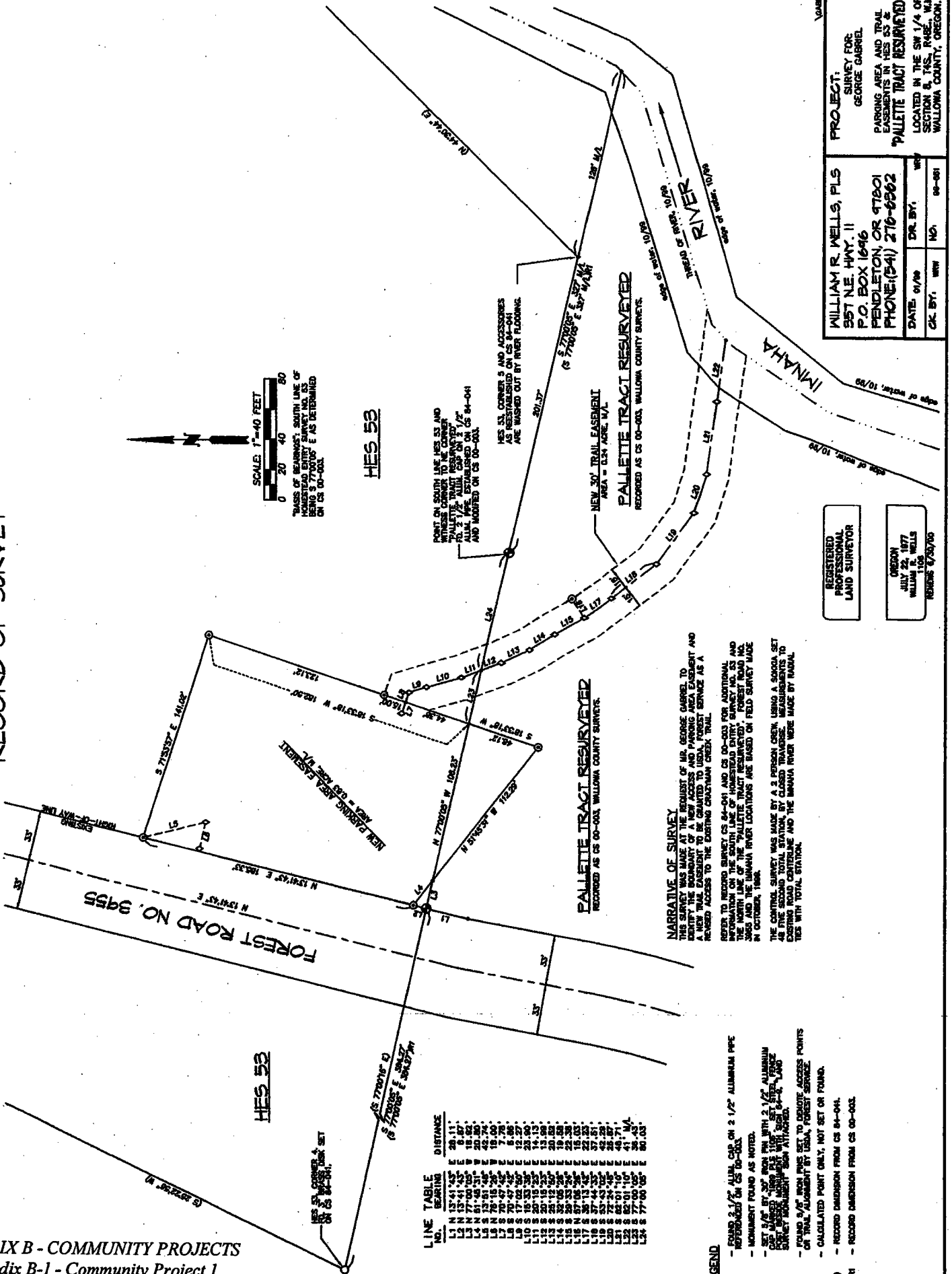
**Appendix B-1  
Community Project 1**

**Attachment 1**

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**Location of New Parking Lot  
and New Trail Access**

# RECORD OF SURVEY



**PROJECT:**  
SURVEY FOR  
GEORGE GABRIEL  
PARKING AREA AND TRAIL  
EASEMENTS IN HES 53 &  
"PALLETTE TRACT RESERVE"  
LOCATED IN THE SW 1/4 OF  
SECTION 8, T4N, R4E, W4E, N4E,  
WALLAWA COUNTY, OREGON.

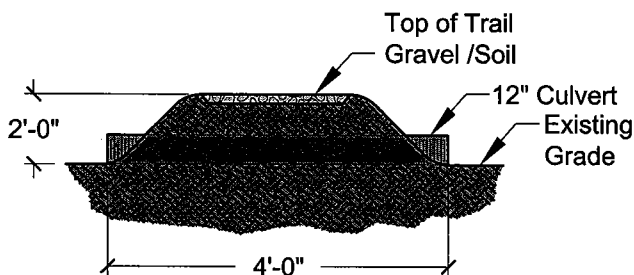
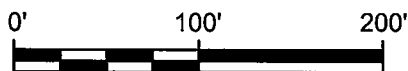
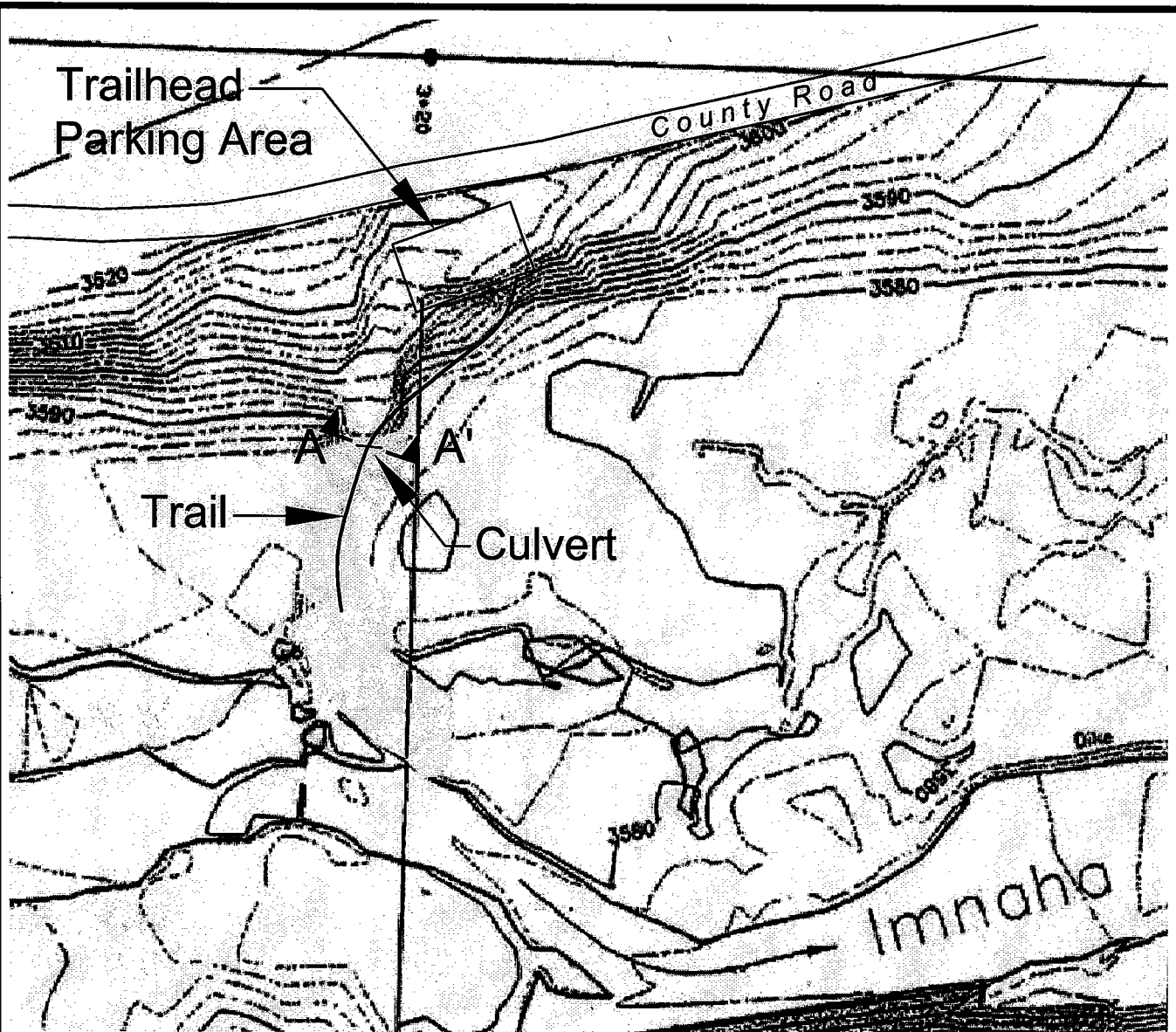
**WILLIAM R. WELLS, PLS**  
357 N.E. HWY. 11  
P.O. BOX 1846  
PENDLETON, OR 97501  
PHONE: (541) 276-6962

**DATE:** 01/90  
**DR. BY:** WRS  
**CK. BY:** WRS  
**NO.:** 98-081

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

**OREGON**  
JULY 22, 1977  
WILLIAM R. WELLS  
1105  
RENEWED 7/30/90

G:\1000\1008\101\Cad\Palette Ranch\W1008101\_F1\_TrHd\_Palette 09:31 04/21/2005 SS



Cross Section A-A'

#### Notes:

1. Trail From Trailhead Parking Area to Toe of Slope will be Defined by Forest Service.
2. Trail From Toe of Slope to End of Trail (~100') is 4'-0" Wide and 2'-0" High. With Slopes of 3'-0" Horizontally and 1'-0" Vertically (3:1).
3. Trailhead Parking Area will be Constructed From Fill Material Removed From Site 'G'.
4. Access to Trailhead Parking Area From County Road will be Coordinated With County.
5. Drainage North of Parking Area Must Not be Disturbed.

Appendix B-1  
Attachment 1

Site 'G' - Parking Area, Trailhead & Trail  
Imnaha River  
Palette Ranch, Oregon

DESIGNED BY:

R.Craven

DRAWN BY:

S.Schenck

DATE:

April 2005

PROJECT NO.

1008-101

**APPENDIX B  
COMMUNITY PROJECTS**

**Appendix B-1  
Community Project 1**

**Attachment 2**

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**Agreement to Initiate  
and  
Description of Land Exchange Between  
Gabriel and USDA, Forest Service**

## **Attachment 2**

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### **Agreement to Initiate**

## AGREEMENT TO INITIATE

U. S. DEPARTMENT OF AGRICULTURE  
Forest Service

OMB No. 0596-0105

5430 Exchanges

NF

(non-Federal party)

(exchange authority(ies))

(cite the statute and U.S.C)

(I) We, the (non-Federal party's name and address), Telephone: \_\_\_\_\_, hereinafter called the non-Federal party, and the Forest Service, U.S. Department of Agriculture, acting through their authorized representatives intend to exchange real property of equal value described in attached Exhibits A and B under the terms and conditions described in the exhibits. It is understood that the basis for value of the exchange properties shall be appraisals which have been approved by the Forest Service. This Agreement to Initiate authorizes each party to enter on lands of the other for such purposes as preparing land value appraisals, land line surveys, wildlife and wetland inventories, and other evaluations deemed necessary by the Forest Service to fully evaluate the effects and merits of the exchange proposal.

It is understood that upon approval of the decision, exchange values, terms and conditions by the appropriate Forest Service official, the parties may enter into an exchange agreement that shall be binding to both parties. It is understood that prior to the exchange agreement, or issuance of a patent or deed by the United States if no exchange agreement is executed, no action taken shall create or establish any contractual or other obligations against the non-Federal party or the United States. Either the non-Federal party or the Forest Service may withdraw from the exchange at any time prior to execution of the exchange agreement, or conveyance from the United States.

Pursuant to Section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), a payment may be required by either party to equalize exchange values. The non-Federal party may reserve such rights as are acceptable to the Forest Service. Any reservations shall be subject to the rules and regulations of the Secretary of Agriculture, where applicable, and such other conditions as may be agreed upon. The reservations and exceptions of the non-Federal party are listed in Exhibit A attached.

If this offer is approved and title accepted by the United States, the non-Federal party agrees to accept, in exchange, that National Forest System land described in Exhibit B attached, subject to the reservations and exceptions shown in Exhibit B attached. Title will be conveyed by Patent/Exchange Deed issued by the USDI-Bureau of Land Management/USDA-Forest Service.

It will be the non-Federal party's responsibility to furnish a good and sufficient title to the property free from objectionable encumbrances. The non-Federal party will convey title by general warranty deed when notified to do so. A policy of title insurance satisfactory to the Office of the General Counsel of the Department of Agriculture will be prepared at the expense of the non-Federal party.

The United States does not furnish title insurance for the property it conveys.

No authorization for compensation for costs assumed pursuant to the provision of 36 CFR 254.7 is provided.

The timeline for processing this proposal and the agreement on responsibility for costs on specific items (36 CFR 254.4(c)(6)) is provided for in Exhibit C (Implementation Schedule) and Exhibit D (Projected Costs and Allocation).

If the non-Federal party is assigned the responsibility of providing appraisals for the Federal and/or non-Federal properties in the Implementation Schedule, execution of this agreement requires the non-Federal party to instruct the Forest Service-approved fee appraiser to simultaneously submit all appraisals to the Forest Service and the non-Federal party. A copy of this Agreement to Initiate may be provided to the appraiser of record and serve as written authorization by the appraiser's client to provide a copy of all appraisals to the Forest Service.

Qualified tenants occupying the non-Federal lands affected by this proposal may be entitled to relocation benefits under 49 CFR 24.2. The non-Federal party agrees to formally notify the Forest Service of any tenants occupying the non-Federal land and provide the Forest Service documentation that the tenant has been notified of the proposed land exchange.

Unless otherwise provided by law or regulation (49 CFR 24.101(a)(1)), relocation benefits are not applicable to owner-occupants involved in exchanges with the United States provided the owner-occupants are notified in writing that the non-Federal lands are being acquired by the United States on a voluntary basis.

Therefore, this Agreement to Initiate serves as that notice and by signing the same, the owner-occupants agree that they are not entitled to relocation benefits.

Each party to this agreement is responsible to provide the other documentation of the existence or non-existence of storage of hazardous substances stored on their respective lands for 1 year or more or disposed of or released on said lands. If evidence of hazardous substances is found, either party may refuse, without liability, to complete the exchange.

No member of Congress, or Resident Commissioner, shall be admitted to any share or part of this proposal or to any benefit that may arise therefrom unless it is made with a corporation for its general benefit (18 U.S.C. 431, 433).



The undersigned is a citizen of the United States or a corporation or other legal entity subject to the laws of the United States or a State thereof. The undersigned is also 21 years old or over and is the owner of the above described offered land or has a firm contract to acquire it.

Notification statement: Public availability of Property-Related Information. Any party who has signed below acknowledges receipt of this notification: All documents pertaining to both Federal and non-Federal lands necessary for the evaluation, processing, and consummation of a land adjustment transaction, including but not limited to appraisals, timber cruises, specialist reports, geology/mineral reports, title and other property information, are subject to public availability pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a).

However, it is the general intent of all parties that these land adjustment transaction documents will be considered "pre-decisional working papers" not subject to premature availability prior to the point which concludes evaluation of the proposal through the agency's established, required process and policy.

\_\_\_\_\_  
Date

BY: \_\_\_\_\_  
Non-Federal Party

\_\_\_\_\_  
Date

BY: \_\_\_\_\_  
Authorized Officer  
U.S. Department of Agriculture  
Forest Service

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0105. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

### **EXHIBIT A**

Property that the Non-Federal Party will consider exchanging:

\* Principal Meridian, \* County, \* (State)

(insert non-Federal legal description)

Land reservations of the Non-Federal Party and exceptions to title:

Reservations:

Outstanding Rights:

### **EXHIBIT B**

Property that the U.S.D.A. Forest Service will consider exchanging:

\* Principal Meridian, \* County, \* (State)

(insert Federal legal description)

Land reservations of the U.S.D.A. Forest Service, exceptions to title and uses to be recognized:

Reservations:

1. Reserving to the United States a right-of-way thereon for ditches or canals constructed by the authority of the United States Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). (note: applies to reserved Public Domain)

Outstanding Rights:

### **EXHIBIT C**

#### **IMPLEMENTATION SCHEDULE**

(see sec. 39, ex. 02-06)

## **EXHIBIT D**

### **PROJECTED COSTS AND ALLOCATION**

(Optional - use this exhibit when it is appropriate to display specific amounts to be contributed by either party towards common activities, such as appraisal costs being shared equally (50/50), or when there is a desire to demonstrate the proportional sharing overall by displaying total contributions by each party.

<u>Activity</u>	<u>Allocation of Costs</u>		<u>Total</u>
	<u>Forest Service</u>	<u>Non-Federal</u>	
1. Appraisal	\$	\$	\$
2. Survey	\$	\$	\$
3. Title Work & Curative actions	\$	\$	\$
4. Environmental Site Assessment	\$	\$	\$
5. Environmental Analysis (NEPA)	\$	\$	\$
6. Closing (Escrow, Recording)	\$	\$	\$
7.	\$	\$	\$
8.	\$	\$	\$

Totals

Note: Allocation of costs must be linked to Exhibit C - Implementation Schedule and associated assignment of responsibilities. Activities may be broken out as needed to clarify agreement on cost sharing.

CURVE TABLE		RADIUS		LENGTH		LONG CHORD	
NO.	DELTA						
C1	12°44'06"	487.00	103.80	N 37°56'27"	E	103.59	
C2	11°18'37"	385.00	75.80	N 38°42'12"	E	75.48	
C3	5°58'00"	567.00	85.22	N 37°56'27"	E	85.22	
C4	15°26'44"	567.00	181.58	N 48°24'08"	E	181.41	
C5	13°28'43"	533.00	123.54	N 47°18'39"	E	123.25	
C6	30°04'01"	483.00	228.71	N 25°32'47"	E	226.76	
C7	11°18'37"	500.00	117.14	N 37°56'27"	E	116.51	
C8	11°18'37"	350.00	89.08	N 39°42'12"	E	88.51	
C9	5°40'53"	500.00	56.50	S 33°53'20"	E	56.47	
C10	15°26'44"	500.00	160.70	N 48°24'08"	E	160.22	
C11	13°28'43"	500.00	117.77	N 40°19'39"	E	117.50	
C12	13°28'43"	500.00	263.33	N 40°19'39"	E	263.33	

THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 8 IS RESERVED PUBLIC DOMAIN. SECTION 8 HAS NOT BEEN SUBDIVIDED. THE LINE SHOWN WITH A COURSE OF NORTH 00°04'45" WEST IS INTENDED TO BE THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER, AND IS TO BE USED UNTIL THE SECTION IS SUBDIVIDED AND THE EXACT LOCATION OF THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER IS KNOWN.

A tract of land located in the South Half of Section 8, Township 4 South, Range 48 East, W.M., Willows County, Oregon, described as follows:

**BEGINNING** at the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 8, said point being monumented with a 2 1/2 inch aluminum pipe; thence North 00°45' West a distance of 384.40 feet to a 2 1/2 inch aluminum pipe monumenting a point on the Southeastery right-of-way line of Forest Road Number 3935; thence along said Southeastery right-of-way line of Forest Road Number 3935 the following course:

North 31°37'22" East a distance of 17.96 feet to point of curvature of a circular curve; thence along the arc of a 467.00 foot circular curve to the right a distance of 103.80 feet to point of tangency. (Long chord bears North 37°52'27" East a distance of 110.50 feet to point of curvature of a circular curve; thence along the arc of a 303.00 foot radius curve to the left a distance of 75.80 feet to point of tangency. (Long chord bears North 39°42'12" East a distance of 117.00 feet to point of curvature of a circular curve; thence along the arc of a 567.00 foot radius curve to the right a distance of 151.80 feet to point of tangency. (Long chord bears North 38°43'47" East a distance of 173.05 feet to point of curvature of a circular curve; thence along the arc of a 567.00 foot radius curve to the right a distance of 151.80 feet to point of tangency. (Long chord bears North 37°52'27" East a distance of 110.50 feet to point of curvature of a circular curve; thence along the arc of a 333.00 foot radius curve to the left a distance of 125.64 feet to point of tangency. (Long chord bears North 47°16'30" East a distance of 125.50 feet to point of curvature of a circular curve; thence along the arc of a 443.00 foot circular curve to the left a distance of 103.40 feet to point of tangency. (Long chord bears North 39°42'12" East a distance of 80.06 feet; thence North 13°41'43" East a distance of 28.11 feet to the intersection of the easterly right-of-way line of said Forest Road Number 3565 with the South 60°00'00" East line of said Section 53, said plat being monumented with a 2 1/2 inch aluminum pipe.

thence leaving said Southeastery right-of-way line and South 77°00'05" East along the South line of Homestead Entry Survey Number 63 a distance of 241.61 feet to a 2 1/2 inch aluminum pin monument; thence South 77°00'05" East, continuing along the South line of Homestead Entry Survey Number 63 a distance of 201.37 feet to Homestead Entry Survey Number 63, Corner 2; thence South 77°00'05" East along the South line of Section 36 of the South 1/4 of Section 36 of Township 12N, Range 12E, 123 feet to the South line of Homestead Entry Survey Number 63 a distance of 128 feet, more or less, to the thread of the Imvaha River; thence Southeasterly along the thread of the Imvaha River a distance of 2160 feet, more or less, to a point on the South line of the Southwest Quarter of the said South line of Homestead Entry Survey Number 63 a distance of 100 feet, more or less, to a 2 1/2 inch aluminum pin monument; thence North 89°30'03" West, continuing along said South line of the Southwest Quarter a distance of 168.03 feet to the POINT OF

**EXCEPTING THEREFROM**, any portion of the above described tract located within the West Half of the Southwest Quarter of said Section 8.

THIS SURVEY WAS MADE AT THE REQUEST OF THE WALLOWA WHITMAN NATIONAL FOREST UNDER CONTRACT NUMBER 53-0443-2-0056.

THE PURPOSE OF THIS SURVEY WAS TO MODIFY THE BOUNDARIES OF THE PALLETTE TRACT AS SURVEYED, MONUMENTED AND POSTED UNDER CONTRACT NUMBER 83-0413-4-2976, IN 1984. THAT SURVEY IS RECORDED AS CS 84-041. WALLAWA COUNTY SURVEY RECORDS.

THE EXISTING RECORD DESCRIPTION OF THE PALLETTE TRACT, IS TO BE MODIFIED OR EXTERMINATED, AND THE TRACT REDEFINED, BASED ON THE SURVEY AND ACCORDS, ESTABLISHED UNDER CS 84-041 WERE MODIFIED BY SURVEYOR GEORGE L. LAMM, THE MODIFICATIONS INCLUDED SAWING OFF THE MONUMENT CAP, THE MONUMENT SET IN CS 84-041 AND BURYING THE MONUMENT CAP BESIDE THE MONUMENT SET. WHAT WAS LEFT IN PLACE. SIGNS ON ACCESSORIES REFERENCING MODIFIED MONUMENTS WERE REMOVED AND NATIONAL FOREST BOUNDARY SIGNS WHICH WILL NO LONGER APPLY WERE REMOVED. REFER TO CORNER CERTIFICATES FILED SEPARATELY AND "MODIFICATION NOTES" CONTAINED ON THIS PLAT.

THE CONTROL SURVEY WAS MADE BY A 2 PERSON CREW, USING A SOKKIA SET 48 FIVE SECOND TOTAL STATION, BY CLOSED TRAVERSES. MEASUREMENTS TO THE BANAHUA RIVER EDGES WERE MADE BY RADIAL TIES WITH TOTAL STATION. NEW MONUMENTS ESTABLISHED WERE 2 1/2" BY 30" ALUMINUM PIPES WITH ALUMINUM CAP AND EMBEDDED MAGNET. CORNER ACCESSORIES WERE OBSERVED WITH STEEL TAPE AND BRUNTON POCKET TRANSIT.

HOMESTEAD ENTRY SURVEY NUMBER 83 WAS ORIGINALLY SURVEYED BY ARTHUR H. RUDD, U.S. SURVEYOR, IN JANUARY 1911, UNDER SPECIAL INSTRUCTIONS DATED OCTOBER 20, 1910.

HOMESTEAD ENTRY SURVEY NUMBER 53 WAS RETRACED BY CHARLES M. COLLIER AND JOSEPH P. DAVIS UNDER SPECIAL INSTRUCTIONS DATED MARCH 3, 1917.

THE PALLETTE TRACT WAS SURVEYED AND MONUMENTED, AS DIRECTED BY USDA FOREST SERVICE CONTRACTING OFFICER'S REPRESENTATIVE IN 1984, UNDER CONTRACT NUMBER 53-0443-4-2979. RECORD MAP CS 84-041.

- ④ - FOUND 2 1/2" ALUMINUM PIPE IN ON CS 84-041. CORNER RECORD
- - CORNER ESTABLISHED BY THIS SURVEY. CASE ON FILE. NOTED. CORNER RECORD FILED IN
- ⑤ - OTHER MONUMENT FOUND AS NOTED
- - FOUND 2 1/2" ALUMINUM PIPE IN ON CS 84-041. FOR PALLETTE TRY SEE "MODIFICATION NOTES".
- - CALCULATED POINT ONLY, NOT BE
- (XXX) - RECORD DIMENSION REPORTED ON
- (XXX)R1 - RECORD DIMENSION FROM ORIGIN M. COLLEGER DATED OCTOBER
- (XXX)R2 - RECORD DIMENSION FROM 1910 G. M. COLLIER AND JOSEPH P. DAN DATED MARCH 3, 1917.
- (NFSL) - INDICATES NATIONAL FOREST SYS
- (PVT) - INDICATES PRIVATE OWNERSHIP.
- - - - - NATIONAL FOREST SYSTEM BOUND. POSTS WITH 84-2 (NATIONAL FOR
- "OPG" - INDICATES CORNER NUMBER OF P 84-041. CORNER MONUMENT IN
- - - - - INDICATED BOUNDARY OF PALLETTE CS 84-041. BOUNDARY MODIFIED



## DESCRIPTION OF "PALLETTE TRACT RESURVEYED"

February 15, 2000

A tract of land located in the South Half Section 8, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

**BEGINNING** at the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 8, said point being monumented with a 2 1/2 inch aluminum pipe; thence North 00°04'45" West a distance of 384.49 feet to a 2 1/2 inch aluminum pipe monumenting a point on the Southeasterly right-of-way line of Forest Road Number 3955; thence along said Southeasterly right-of-way line of Forest Road Number 3955 the following courses:

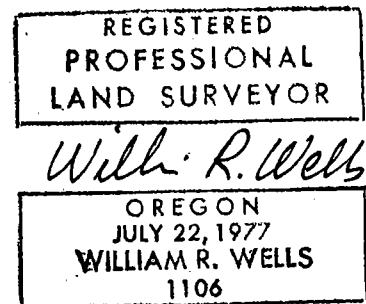
North 31°37'22" East a distance of 17.96 feet to point of curvature of a circular curve; thence along the arc of a 467.00 foot circular curve to the right a distance of 103.80 feet to point of tangency, (long chord bears North 37°59'27" East a distance of 103.59 feet); thence North 44°21'31" East a distance of 110.59 feet to point of curvature of a circular curve; thence along the arc of a 383.00 foot radius curve to the left a distance of 75.60 feet to point of tangency, (long chord bears North 38°42'12" East a distance of 75.48 feet); thence North 33°02'54" East a distance of 217.19 feet to point of curvature of a circular curve; thence along the arc of a 567.00 foot radius curve to the right a distance of 56.22 feet to the point of tangency, (long chord bears North 35°53'20" East a distance of 56.20 feet); thence North 38°43'47" East a distance of 173.05 feet to point of curvature of a circular curve; thence along the arc of a 567.00 foot radius curve to the right a distance of 151.86 feet to point of tangency, (long chord bears North 46°24'09" East a distance of 151.41 feet); thence North 54°04'30" East a distance of 38.56 feet to point of curvature of a circular curve; thence along the arc of a 533.00 foot radius curve to the left a distance of 125.54 feet to the point of tangency, (long chord bears North 47°19'39" East a distance of 125.25 feet); thence North 40°34'47" East a distance of 53.76 feet to point of curvature of a circular curve; thence along the arc of a 493.00 foot circular curve to the left a distance of 258.71 feet to point of tangency, (long chord bears North 25°32'47" East a distance of 255.75 feet); thence North 10°30'46" East a distance of 98.09 feet; thence North 13°41'43" East a distance of 28.11 feet to the intersection of the Southeasterly right-of-way line of said Forest Road Number 3955 with the South line of Homestead Entry Survey Number 53, said point being monumented with a 2 1/2 inch aluminum pipe;

thence leaving said Southeasterly right-of-way line and South 77°00'05" East along the South line of said Homestead Entry Survey Number 53 a distance of 241.61 feet to a 2 1/2 inch aluminum pipe monument; thence South 77°00'05" East, continuing along the South line of Homestead Entry Survey Number 53 a distance of 201.37 feet to Homestead Entry Survey Number 53, Corner 5; thence South 77°00'05" East, along the Southeasterly projection of the South line of Homestead Entry Survey Number 53 a distance of 126 feet, more or less, to the

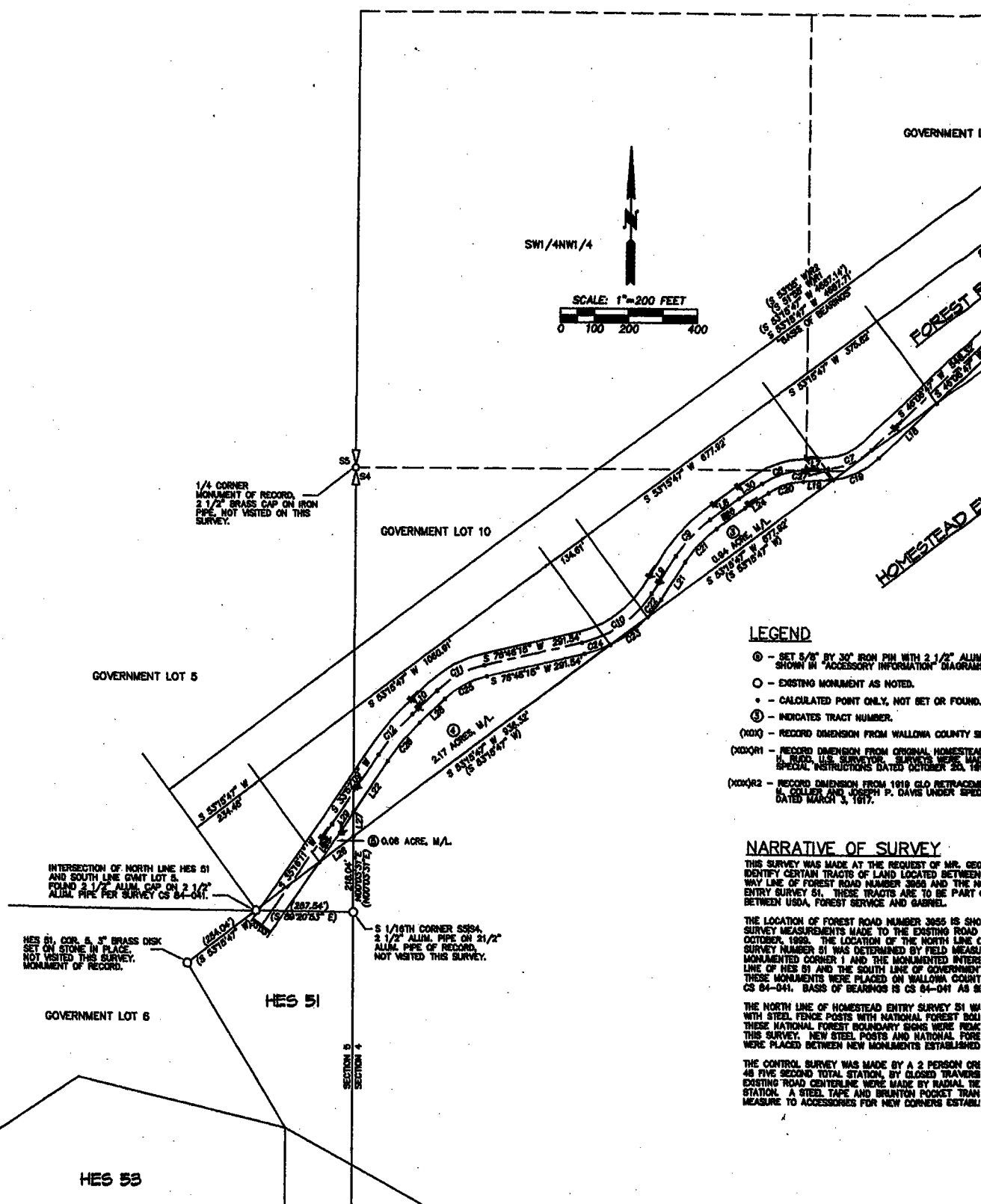
thread of the Imnaha River; thence Southwesterly along the thread of the Imnaha River a distance of 2180 feet, more or less, to a point on the South line of the Southwest Quarter of said Section 8; thence North 89°30'03" West along the South line of the said Southwest Quarter a distance of 100 feet, more or less, to a 2 1/2 inch aluminum pipe monument; thence North 89°30'03" West, continuing along said South line of the Southwest Quarter a distance of 165.03 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM, any portion of the above described tract located within the West Half of the Southwest Quarter of said Section 8.

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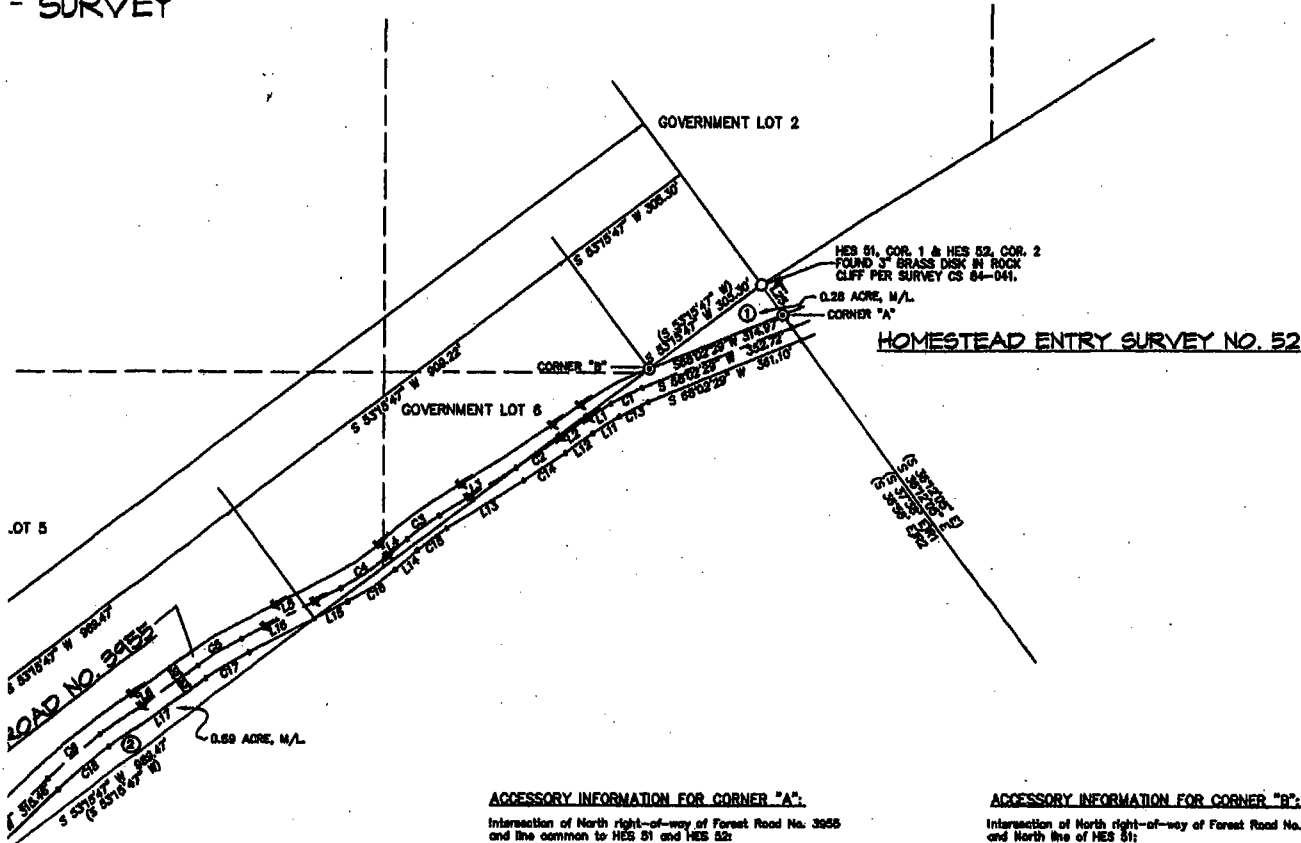


*Renews 6-30-00*





# = SURVEY



## ACCESSORY INFORMATION FOR CORNER "A".

Intersection of North right-of-way of Forest Road No. 3955 and the common to HES 51 and HES 52:

Set 5/8 x 30 inch iron pin with 2 1/2 inch aluminum cap marked:



From which:

A 4 inch ponderosa pine bears North 23° East, 24.9 feet scribed "A" at breast height and "B" at base of tree.  
A 48 inch ponderosa pine bears North 69° West, 33.8 feet, scribed "INTEX/ROW/HES 51-52 ST". This tree is also a bearing tree for HES 51 Corner 1.

New bearing trees have a brass washer stamped "PLS 1106" nailed to the face of the blaze. Attached sign 54-3 (bearing tree) and 54-9 (land survey monument) to each bearing tree and pointed face of blaze and a 6" red band around each bearing tree. Set steel fence post Southwest of monument and attached sign 54-2 (forest boundary) and 54-8.

Compass declination 19° East.

## ACCESSORY INFORMATION FOR CORNER "B".

Intersection of North right-of-way of Forest Road No. 3955 and North line of HES 51:

Set 5/8 x 30 inch iron pin with 2 1/2 inch aluminum cap marked:



From which:

A 27 inch ponderosa pine bears North 37° East, 1.4 feet scribed "INTEX/ROW/HES 51 ST".  
A 3 1/2 inch ponderosa pine bears North 21 1/2° West, 28.3 feet, scribed "A" at breast height and "B" at base of tree.

New bearing trees have a brass washer stamped "PLS 1106" nailed to the face of the blaze. Attached sign 54-3 (bearing tree) and 54-9 (land survey monument) to each bearing tree and pointed face of blaze and a 6" red band around each bearing tree. Set steel fence post Northeast of monument and attached sign 54-8.

Compass declination 19° East.

MINIMUM CAP, MARKED AS IS.

D.

SURVEY CS 84-041.

AD ENTRY SURVEY BY ARTHUR LEE IN JANUARY 1911, UNDER 910.

MENT SURVEY BY CHARLES DIAL INSTRUCTIONS

EDGE GABRIEL TO IN THE SOUTH RIGHT-OF-NORTH LINE OF HOMESTEAD ENTRY SURVEY NO. 51

ROWN BASED ON FIELD D CENTERLINE IN OF HOMESTEAD ENTRY SURVEY NO. 51 SECTION OF THE NORTH RIGHT LOT 5 IN SECTION 5. CITY SURVEY NUMBER SHOWN.

WAS "POSTED" IN CS 84-041, SURVEY 5000 ATTACHED. MOVED AS PART OF REB BOUNDARY SIGNS ED BY THIS SURVEY.

REK, USING A SOKKA SET CE. MEASUREMENTS TO RES WITH TOTAL ANST WERE USED TO SLISHED BY THIS SURVEY.

## CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	LONG CHORD
C01	10°17'20"	420.00'	78.42'	S 82°53'48" W 78.32'
C02	4°21'21"	1355.00'	108.05'	S 56°13'58" W 108.03'
C03	9°51'55"	850.00'	86.09'	S 53°28'38" W 85.89'
C04	14°38'58"	450.00'	115.06'	S 55°52'08" W 114.74'
C05	8°18'18"	800.00'	116.18'	S 59°02'00" W 116.08'
C06	8°45'38"	1000.00'	182.89'	S 50°28'35" W 182.74'
C07	40°01'49"	200.00'	139.73'	S 88°07'41" W 136.91'
C08	29°15'28"	250.00'	127.68'	S 71°50'52" W 128.28'
C09	21°05'56"	400.00'	147.30'	S 42°55'40" W 146.47'
C10	44°23'23"	320.00'	285.67'	S 54°34'33" W 249.32'
C11	30°18'07"	300.00'	158.88'	S 61°37'11" W 158.82'
C12	12°38'59"	700.00'	183.93'	S 40°19'08" W 183.82'
C13	10°17'20"	387.00'	89.50'	S 82°53'48" W 89.40'
C14	4°21'21"	1428.00'	108.58'	S 56°13'58" W 108.54'
C15	9°51'55"	457.00'	80.41'	S 53°28'38" W 80.31'
C16	14°38'58"	453.00'	123.49'	S 55°52'08" W 123.19'
C17	8°18'18"	787.00'	111.39'	S 59°02'00" W 111.29'
C18	8°45'38"	987.00'	147.84'	S 50°28'35" W 147.70'
C19	38°59'33"	233.00'	150.23'	S 84°35'03" W 147.84'
C20	29°15'28"	217.00'	110.81'	S 71°50'52" W 109.61'
C21	21°05'56"	367.00'	138.18'	S 42°55'40" W 134.39'
C22	10°11'48"	383.00'	84.60'	S 37°28'46" W 84.52'
C23	22°21'58"	360.29'	140.84'	S 53°15'47" W 134.61'
C24	12°49'20"	363.00'	81.34'	S 70°21'34" W 81.07'
C25	30°18'07"	267.00'	141.21'	S 61°37'11" W 139.57'
C26	12°35'59"	687.00'	148.88'	S 40°10'08" W 148.38'
C27	3°06'18"	233.00'	12.58'	S 84°35'58" W 12.65'

## LINE TABLE

NO.	BEARING	DISTANCE
L1	S 57°48'06" W	89.78'
L2	S 54°03'14" W	73.60'
L3	S 58°24'30" W	189.89'
L4	S 48°32'40" W	63.77'
L5	S 63°11'38" W	244.48'
L6	S 54°52'23" W	259.88'
L7	S 88°08'35" W	78.42'
L8	S 53°28'35" W	103.89'
L9	S 32°22'52" W	129.58'
L10	S 48°28'07" W	100.13'
L11	S 57°48'06" W	89.78'
L12	S 54°03'14" W	72.63'
L13	S 58°24'30" W	189.89'
L14	S 48°32'40" W	63.77'
L15	S 63°11'38" W	82.42'
L16	S 53°11'38" W	182.04'
L17	S 54°52'23" W	259.88'
L18	S 48°08'47" W	232.88'
L19	S 88°08'35" W	78.42'
L20	S 53°28'47" W	102.91'
L21	S 32°22'52" W	129.58'
L22	S 37°52'08" W	180.03'
L23	S 35°18'11" W	111.55'
L24	S 58°53'08" W	80.81'
L25	N 38°12'05" W	80.34'
L26	S 53°15'47" W	124.58'
L27	S 00°03'31" W	69.45'
L28	S 48°28'07" W	100.13'
L29	S 33°52'08" W	83.71'
L30	S 58°53'08" W	81.79'

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JULY 22, 1977  
WILLIAM R. WELLS  
RENEW 6/30/00

WILLIAM R. WELLS, PLS  
937 N.E. HWY. 11  
P.O. BOX 1696  
PENDLETON, OR 97801  
PHONE (541) 276-6362

DATE 12/18/98 DR. BY: DMT  
CK. BY: HWW NO: 98-651

PROJECT:  
SURVEY FOR:  
GEORGE GABRIEL

LOCATED IN SECTIONS 4 AND 5, TOWNSHIP 4 SOUTH, RANGE 48 EAST, W.M., WALLOWA COUNTY, OREGON.

TRACT 1, GABRIEL TO USDA, FOREST SERVICE

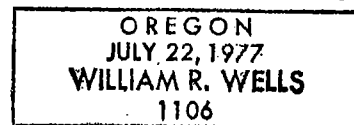
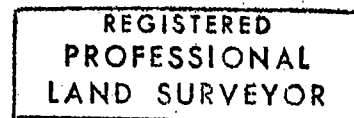
January 14, 2000

A tract of land located in Homestead Entry Survey Number 51, in the Northeast Quarter of Section 4, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

BEGINNING at Corner 1 of Homestead Entry Survey Number 51; thence South  $36^{\circ}12'05''$  East along the East line of Homestead Entry Survey Number 51 a distance of 80.34 feet to a point on the North right-of-way line of Forest Road Number 3955; thence South  $68^{\circ}02'29''$  West along said North right-of-way line a distance of 314.97 feet to the intersection of said North right-of-way line with the North line of Homestead Entry Survey Number 51; thence North  $53^{\circ}15'47''$  East along the North line of said Homestead Entry Survey Number 51 a distance of 305.30 feet to the POINT OF BEGINNING.

Area of Tract 1: 0.28 acre, more or less.

\gabtr1



*renews 6-30-00*

TRACT 2, USDA, FOREST SERVICE TO GABRIEL

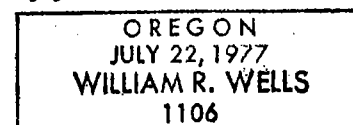
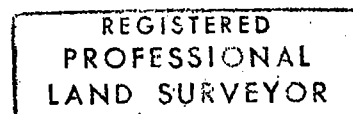
January 14, 2000

A tract of land located in Government Lot 5, Section 4, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

Commencing at Corner 1 of Homestead Entry Survey Number 51; thence South 53°15'47" West along the North line of Homestead Entry Survey Number 51 a distance of 1214.52 feet to the intersection with the South right-of-way line of Forest Road Number 3955, the TRUE POINT OF BEGINNING for this description; thence continuing South 53°15'47" West along the North line of said Homestead Entry Survey Number 51 a distance of 989.47 feet to the intersection with said South right-of-way line of Forest Road Number 3955; thence North 46°06'47" East along said South right-of-way line a distance of 315.46 feet to the point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 967.00 foot radius curve to the right a distance of 147.84 feet, (long chord bears North 50°29'35" East a distance of 147.70 feet) to point of tangency; thence North 54°52'23" East, continuing along said South right-of-way line a distance of 258.69 feet to the point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 767.00 foot radius curve to the right a distance of 111.39 feet, (long chord bears North 59°02'00" East a distance 111.29 feet) to point of tangency; thence North 63°11'38" East, continuing along said South right-of-way line a distance of 162.04 feet to the TRUE POINT OF BEGINNING.

Area of Tract 2: 0.69 acre, more or less.

\gabtr2



renews 6-30-00

### TRACT 3, USDA, FOREST SERVICE TO GABRIEL

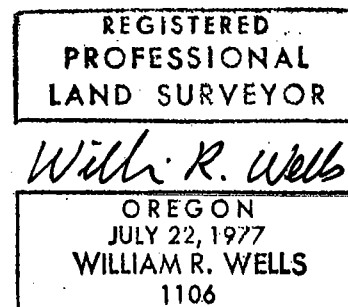
January 14, 2000

A tract of land located in Government Lot 10, Section 4, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

Commencing at Corner 1 of Homestead Entry Survey Number 51; thence South  $53^{\circ}15'47''$  West along the North line of Homestead Entry Survey Number 51 a distance of 2579.81 feet to a point on the South right-of-way line of Forest Road Number 3955, the TRUE POINT OF BEGINNING for this description; thence continuing South  $53^{\circ}15'47''$  West along said North line of Homestead Entry Survey Number 51 a distance of 677.92 feet to a point on said South right-of-way line of Forest Road Number 3955; thence Northeasterly on said South right-of-way line, on the arc of a 363.00 foot radius curve to the left a distance of 64.60 feet, (long chord bears North  $37^{\circ}28'46''$  East a distance of 64.52 feet) to point of tangency; thence North  $32^{\circ}22'52''$  East, continuing along said South right-of-way line a distance of 129.58 feet to point of curvature of a curve; thence continuing along said South right-of-way line on the arc of a 367.00 foot radius curve to the right a distance of 135.15 feet, (long chord bears North  $42^{\circ}55'49''$  East a distance of 134.38 feet) to point of tangency; thence North  $53^{\circ}28'47''$  East, continuing along said South right-of-way line a distance of 102.91 feet; thence North  $56^{\circ}53'08''$  East, continuing along said South right-of-way line a distance of 80.81 feet to the point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 217.00 foot radius curve to the right a distance of 110.81 feet, (long chord bears North  $71^{\circ}30'52''$  East a distance of 109.61 feet) to point of tangency; thence North  $86^{\circ}08'35''$  East, continuing along said South right-of-way line a distance of 76.42 feet to point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 233.00 foot radius curve to the left a distance 12.56 feet, (long chord bears North  $84^{\circ}35'58''$  East a distance of 12.55 feet) to the TRUE POINT OF BEGINNING.

Area of Tract 3: 0.94 acre, more or less.

\gabtr3



TRACT 4, USDA, FOREST SERVICE TO GABRIEL

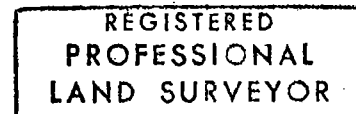
January 15, 2000

A tract of land located in Government Lot 10, Section 4, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

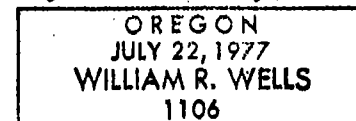
Commencing at Corner 1 of Homestead Entry Survey Number 51; thence South  $53^{\circ}15'47''$  West along the North line of Homestead Entry Survey Number 51 a distance of 3392.34 feet to a point on the South right-of-way line of Forest Road Number 3955, the TRUE POINT OF BEGINNING for this description; thence continuing South  $53^{\circ}15'47''$  West along said North line of Homestead Entry Survey Number 51 a distance of 936.32 feet to a point on the West line of said Section 4; thence North  $00^{\circ}03'31''$  East along said West line of Section 4 a distance of 69.45 feet to a point on the South right-of-way line of Forest Road Number 3955; thence North  $33^{\circ}52'09''$  East along said South right-of-way line a distance of 180.03 feet to the point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 667.00 foot radius curve to the right a distance of 146.68 feet, (long chord bears North  $40^{\circ}10'08''$  East a distance of 146.38 feet) to point of tangency; thence North  $46^{\circ}28'07''$  East, continuing along said South right-of-way line a distance of 100.13 feet to the point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 267.00 foot radius curve to the right a distance of 141.21 feet, (long chord bears North  $61^{\circ}37'11''$  East a distance of 139.57 feet) to point of tangency; thence North  $76^{\circ}46'15''$  East, continuing along said South right-of-way line a distance of 291.54 feet to point of curvature of a curve; thence continuing along said South right-of-way line, on the arc of a 363.00 foot radius curve to the left a distance of 81.24 feet, (long chord bears North  $70^{\circ}21'34''$  East a distance of 81.07 feet) to the TRUE POINT OF BEGINNING.

Area of Tract 4: 2.17 acres, more or less.

\gabtr4



*William R. Wells*



*renews 6-30-00*

TRACT 5, USDA, FOREST SERVICE TO GABRIEL

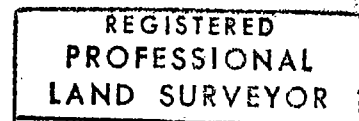
January 15, 2000

A tract of land located in Government Lot 5, Section 5, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

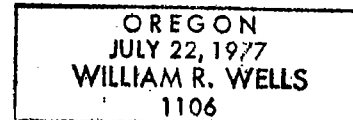
Commencing at Corner 1 of Homestead Entry Survey Number 51; thence South  $53^{\circ}15'47''$  West along the North line of Homestead Entry Survey Number 51 a distance of 4453.25 feet to a point on the South right-of-way line of Forest Road Number 3955, the TRUE POINT OF BEGINNING for this description; thence North  $35^{\circ}16'11''$  East along said South right-of-way line a distance of 111.55 feet; thence North  $33^{\circ}52'09''$  East, continuing along said South right-of-way line a distance of 63.71 feet to a point on the East line of Section 5; thence South  $00^{\circ}03'31''$  West along the East line of said Section 5 a distance of 69.45 feet to a point on the North line of Homestead Entry Survey Number 51; thence South  $53^{\circ}15'47''$  West along said North line of said Homestead Entry Survey Number 51 a distance of 124.59 feet to the TRUE POINT OF BEGINNING.

Area of Tract 5: 0.08 acre, more or less.

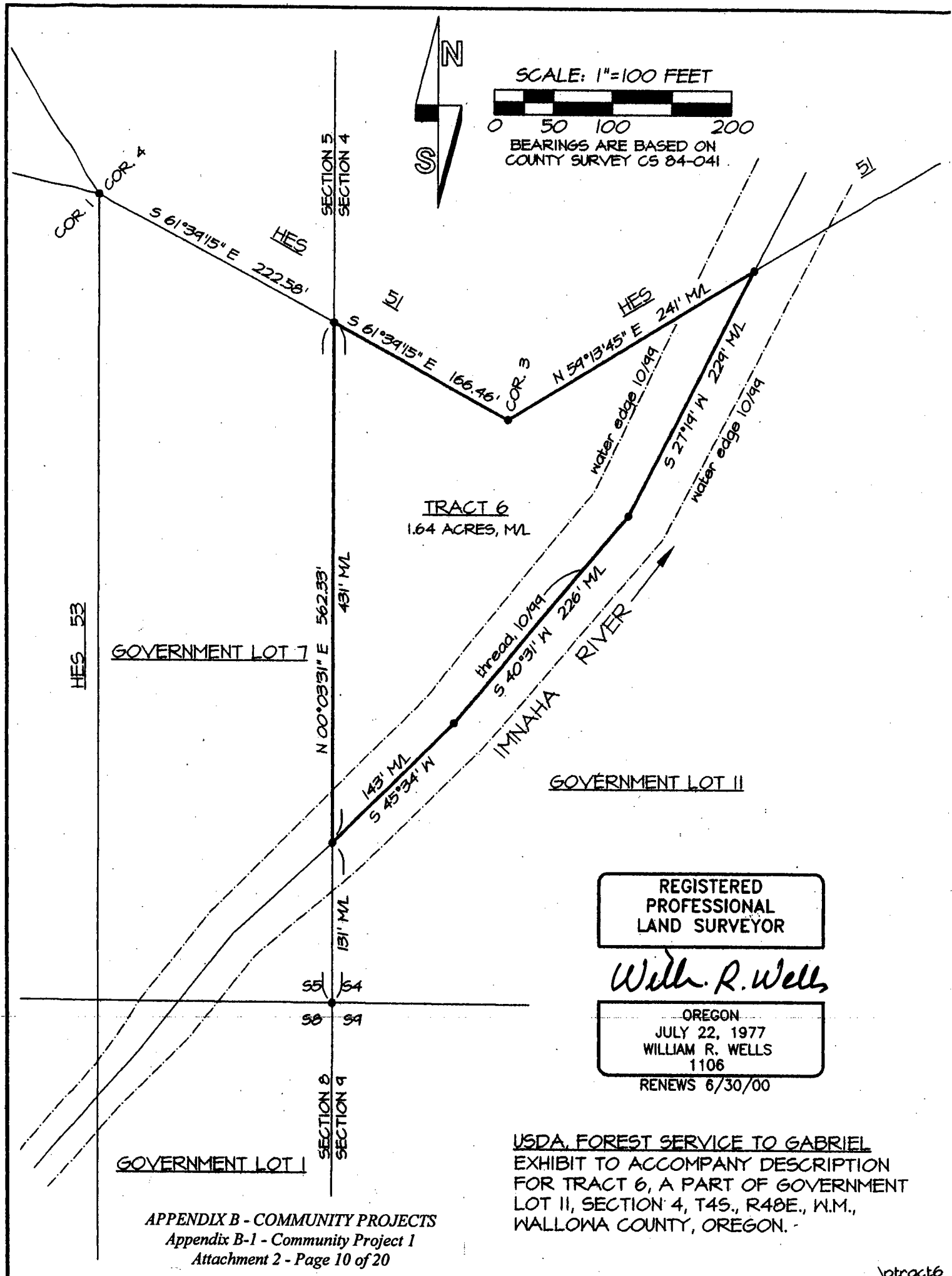
\gabtr5



*William R. Wells*



*renews 6-30-00*



TRACT 6, USDA, FOREST SERVICE TO GABRIEL

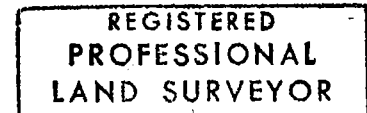
January 17, 2000

A part of Government Lot 11, Section 4, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

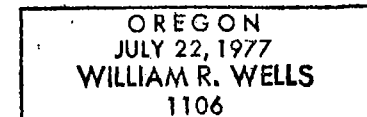
Commencing at the Southwest Corner of said Section 4; thence North  $00^{\circ}03'31''$  East along the West line of said Section 4 a distance of 562.33 feet to a point on the Southerly line of Homestead Entry Survey Number 51, the TRUE POINT OF BEGINNING for this description; thence South  $61^{\circ}39'15''$  East along the Southerly line of said Homestead Entry Survey Number 51 a distance of 166.46 feet to Corner 3 of Homestead Entry Survey Number 51; thence North  $59^{\circ}13'45''$  East along the Southeasterly line of Homestead Entry Survey Number 51 a distance of 241 feet, more or less, to the thread of the Imnaha River; thence South  $27^{\circ}19'$  West along the thread of the Imnaha River a distance of 229 feet, more or less; thence South  $40^{\circ}31'$  West, continuing along the thread of the Imnaha River a distance of 226 feet, more or less; thence South  $45^{\circ}34'$  West continuing along the thread of the Imnaha River a distance of 143 feet, more or less, to a point on the West line of said Section 4; thence North  $00^{\circ}03'31''$  East along the West line of said Section 4 a distance of 431 feet, more or less, to the TRUE POINT OF BEGINNING.

Area of Tract 6: 1.64 acres, more or less.

\gabtr6



*Will. R. Wells*



*renews 06-30-00*





TRACT 7, GABRIEL TO USDA, FOREST SERVICE

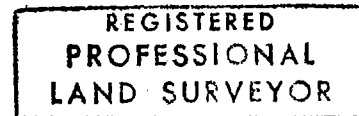
January 17, 2000

A part of Government Lot 7, Section 5, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

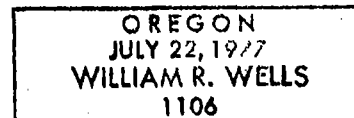
BEGINNING at the Southeast Corner of said Section 5; thence North  $89^{\circ}42'43''$  West along the South line of said Section 5 a distance of 129 feet, more or less, to the thread of the Imnaha River; thence North  $39^{\circ}20'$  East along the thread of the Imnaha River a distance of 72 feet, more or less; thence North  $47^{\circ}59'$  East, continuing along the thread of the Imnaha River a distance of 112 feet, more or less, to a point on the East line of said Section 5; thence South  $00^{\circ}03'31''$  West along the East line of said Section 5 a distance of 131 feet, more or less, to the POINT OF BEGINNING.

Area of Tract 7: 0.21 acre, more or less.

\gabtr7



*William R. Wells*



*renews 6-30-00*



TRACT 8, USDA, FOREST SERVICE TO GABRIEL

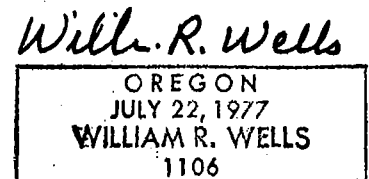
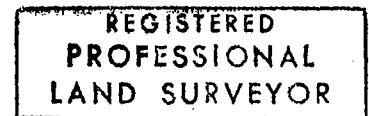
January 17, 2000

A part of Government Lot 1, Section 8, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

Commencing at the Northeast Corner of said Section 8; thence North  $89^{\circ}42'43''$  West along the North line of said Section 8 a distance of 196.44 feet to a point on the Easterly line of Homestead Entry Survey Number 53, the TRUE POINT OF BEGINNING for this description; thence South  $00^{\circ}05'46''$  West along the Easterly line of said Homestead Entry Survey Number 53 a distance of 78 feet, more or less, to the thread of the Imnaha River; thence North  $42^{\circ}40'$  East along the thread of the Imnaha River a distance of 51 feet, more or less; thence North  $39^{\circ}20'$  East, continuing along the thread of the Imnaha River a distance of 53 feet, more or less, to a point on the North line of said Section 8; thence North  $89^{\circ}42'43''$  West along the North line of said Section 8 a distance of 68 feet, more or less, to the TRUE POINT OF BEGINNING.

Area of Tract 8: 0.06 acre, more or less.

\gabtr8



renews 06-30-00



TRACT 9, GABRIEL TO USDA, FOREST SERVICE

April 18, 2000

A part of Homestead Entry Survey Number 53, located in the East Half of Section 8, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, described as follows:

BEGINNING-at Corner 6 of Homestead Entry Survey Number 53; thence South 44°30'44" West along the Southeasterly line of said Homestead Entry Survey Number 53 a distance of 551 feet, more or less, to the thread of the Imnaha River; thence along the thread of the Imnaha River the following courses:

North 09°18' East a distance of 65 feet, more or less; thence North 03°17' East a distance of 58 feet, more or less; thence North 19°00' East a distance of 81 feet, more or less; thence North 48°30' East a distance of 196 feet, more or less; thence North 62°52' East a distance of 118 feet, more or less; thence North 46°16' East, 105 feet, more or less; thence North 16°30' East a distance of 208 feet, more or less; thence North 32°25' East a distance of 276 feet, more or less; thence North 29°30' East a distance of 179 feet, more or less; thence North 20°02' East a distance of 44 feet, more or less; thence North 31°17' East a distance of 84 feet, more or less; thence North 20°01' East a distance of 87 feet, more or less; thence North 01°34' East a distance of 123 feet, more or less, to the intersection of the thread of the Imnaha River with the thread of Crazyman Creek; thence along the thread of Crazyman Creek the following courses:

South 82°00' East a distance of 22 feet, more or less; thence South 60°07' East a distance of 187 feet, more or less; thence South 44°04' East a distance of 107 feet, more or less; thence South 11°52' East a distance of 61 feet, more or less; thence South 21°46' East a distance of 120 feet, more or less; thence South 46°22' East a distance of 29 feet, more or less; thence South 25°37' East a distance of 92 feet, more or less; thence South 43°48' East a distance of 76 feet, more or less, to a point on the Southeasterly line of Homestead Entry Survey Number 53 which bears South 59°34'58" West a distance of 160 feet, more or less, from Corner 7 of said Homestead Entry Survey Number 53;

thence leaving the thread of Crazyman Creek and South 59°34'58" West along the Southeasterly line of Homestead Entry Survey Number 53 a distance of 924 feet, more or less, to the POINT OF BEGINNING.

Area of Tract 9: 8.62 acres, more or less.

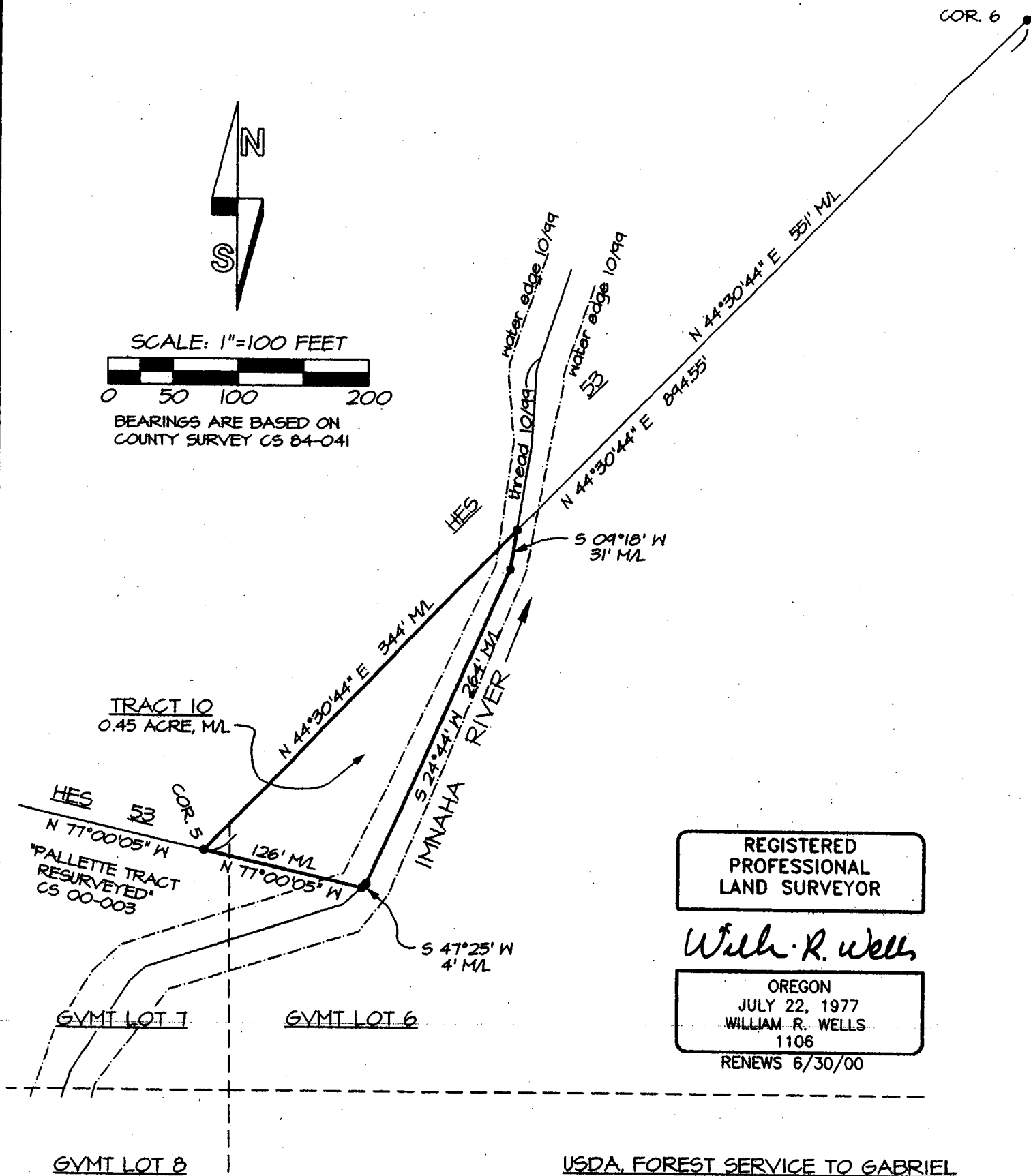
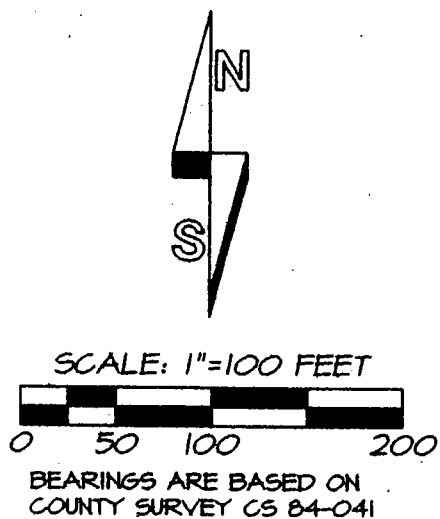
\gabtr9

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*William R. Wells*

OREGON  
JULY 22, 1977  
WILLIAM R. WELLS  
1106

*renews 6-30-00*



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*William R. Wells*

OREGON  
JULY 22, 1977  
WILLIAM R. WELLS  
1106  
RENEWS 6/30/00

TRACT 10, USDA, FOREST SERVICE TO GABRIEL

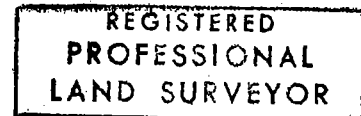
January 18, 2000

A part of Government Lots 6 and 7, Section 8, Township 4 South, Range 48 East, W.M.,  
Wallowa County, Oregon, described as follows:

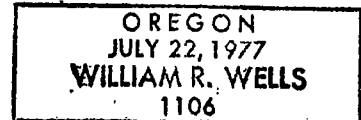
BEGINNING at Corner 5 of Homestead Entry Survey Number 53; thence North  $44^{\circ}30'44''$  East along the Southeasterly line of said Homestead Entry Survey Number 53 a distance of 344 feet, more or less, to the thread of the Imnaha River; thence South  $09^{\circ}18'$  West along the thread of the Imnaha River a distance of 31 feet, more or less; thence South  $24^{\circ}44'$  West, continuing along the thread of the Imnaha River a distance of 264 feet, more or less; thence South  $47^{\circ}25'$  West, continuing along the thread of the Imnaha River a distance of 4 feet, more or less, to a point on the Southeasterly projection of the South line of Homestead Entry Survey Number 53; thence North  $77^{\circ}00'05''$  West along the Southeasterly projection of the South line of said Homestead Entry Survey Number 53 a distance of 126 feet, more or less, to the POINT OF BEGINNING.

Area of Tract 10: 0.45 acre, more or less.

\gabtr10

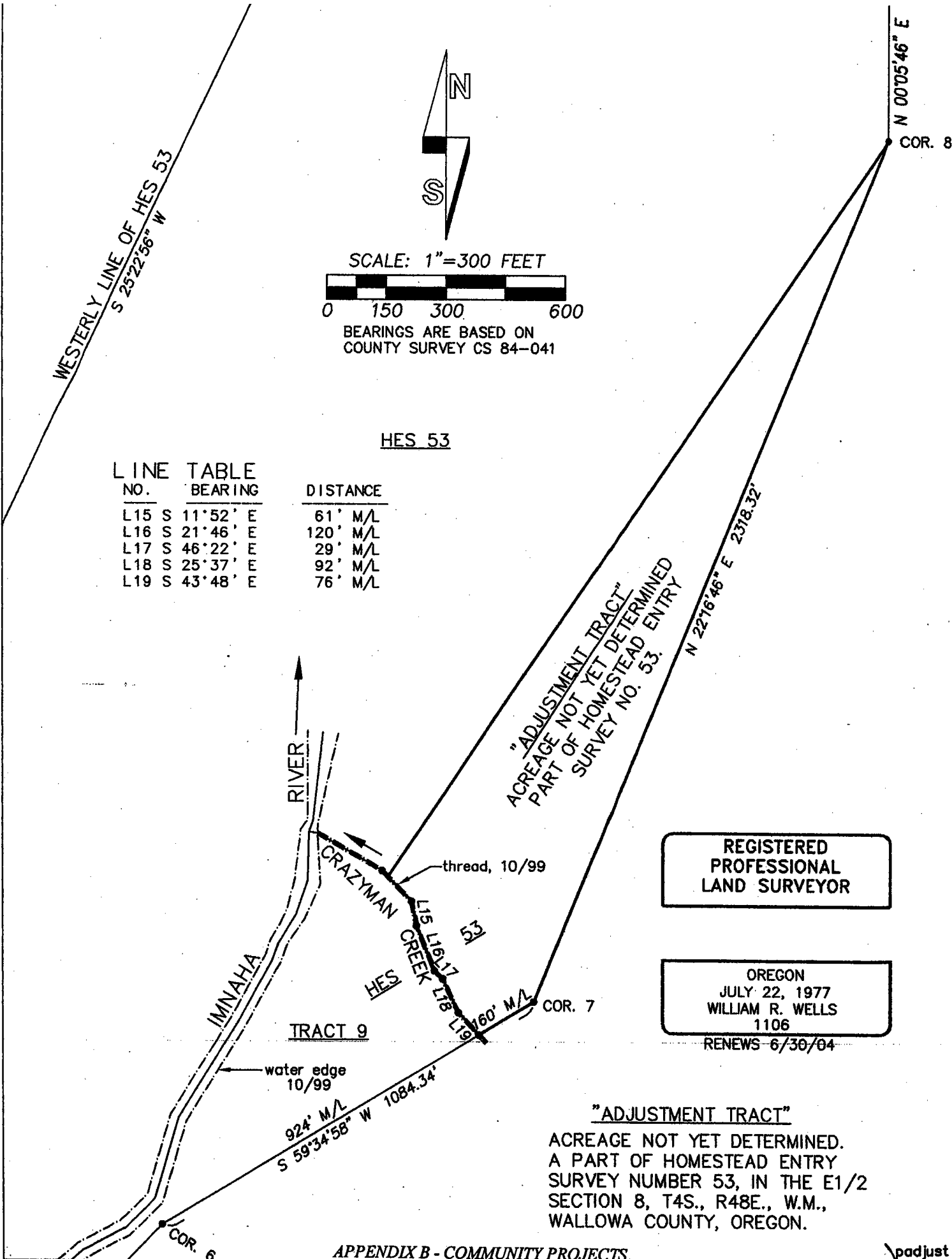


*William R. Wells*



*renews 06-30-00*





**APPENDIX B  
COMMUNITY PROJECTS**

**Appendix B-1  
Community Project 1**

**Attachment 3**

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**Description of New Parking Lot  
and New Trail Easement**

**DESCRIPTION OF NEW PARKING AREA EASEMENT  
GABRIEL TO USDA, FOREST SERVICE**

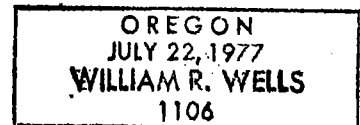
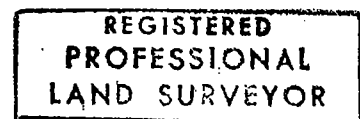
January 16, 2000

A tract of land located in the Southwest Quarter of Section 8, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, said tract also being located within Homestead Entry Survey Number 53 and within the "Palette Tract", as resurveyed and shown on CS 00-003. Said tract is described as follows:

Commencing at Corner 4 of Homestead Entry Survey Number 53; thence South 77°00'05" East along the South line of said Homestead Entry Survey Number 53 a distance of 384.27 feet to a point on the East right-of-way line of Forest Road Number 3955; thence North 13°41'43" East along said East right-of-way line a distance of 8.87 feet to the TRUE POINT OF BEGINNING for this description; thence North 13°41'43" East, continuing along said East right-of-way line a distance of 185.33 feet; thence South 71°53'57" East a distance of 141.02 feet; thence South 18°33'18" West a distance of 182.50 feet to a point on the South line of said Homestead Entry Survey Number 53; thence continuing South 18°33'18" West a distance of 48.12 feet; thence North 51°45'31" West a distance of 112.29 feet to a point on said South line of Homestead Entry Survey Number 53; thence continuing North 51°45'31" West a distance of 20.80 feet to the TRUE POINT OF BEGINNING.

Area of easement: 0.63 acre, more or less.

\gabpark



*renews 06-30-00*

DESCRIPTION OF NEW TRAIL EASEMENT  
GABRIEL TO USDA, FOREST SERVICE

January 16, 2000

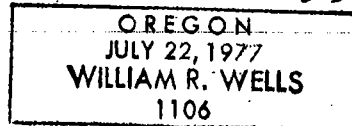
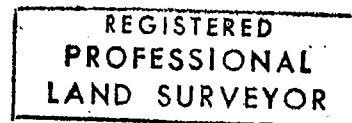
A strip of land, 30 feet in width, located in the Southwest Quarter of Section 8, Township 4 South, Range 48 East, W.M., Wallowa County, Oregon, said strip also being located within Homestead Entry Survey Number 53 and within the "Palette Tract", as resurveyed and shown on CS 00-003. Said strip of land is located 15 feet on each side of the centerline described as follows:

Commencing at Corner 4 of Homestead Entry Survey Number 53; thence South 77°00'05" East along the South line of said Homestead Entry Survey Number 53 a distance of 384.27 feet to a point on the East right-of-way line of Forest Road Number 3955; thence North 13°41'43" East along said East right-of-way line a distance of 194.20 feet; thence South 71°53'57" East a distance of 141.02 feet; thence South 18°33'18" West a distance of 138.12 feet to the TRUE POINT OF BEGINNING for this centerline description; thence South 70°47'42" East a distance of 6.86 feet; thence South 17°02'50" East a distance of 12.27 feet; thence South 15°33'38" East a distance of 23.90 feet; thence South 20°15'23" East a distance of 14.13 feet to a point on said South line of Homestead Entry Survey Number 53; thence continuing South 20°15'23" East a distance of 13.99 feet; thence South 25°12'50" East a distance of 20.52 feet; thence South 32°05'28" East a distance of 19.58 feet; thence South 29°33'24" East a distance of 22.38 feet; thence South 36°13'42" East a distance of 22.23 feet; thence South 37°44'33" East a distance of 37.51 feet; thence South 53°43'02" East a distance of 42.29 feet; thence South 72°24'48" East a distance of 26.87 feet; thence South 82°01'10" East a distance of 48.71 feet; thence continuing South 82°01'10" East a distance of 41 feet, more or less, to the thread of the Imnaha River, the TERMINUS POINT, for this centerline description.

Side lines of said easement are to be lengthened or shortened to terminate on a line bearing North 18°33'18" East and South 18°33'18" West from the TRUE POINT OF BEGINNING, and on the thread of the Imnaha River.

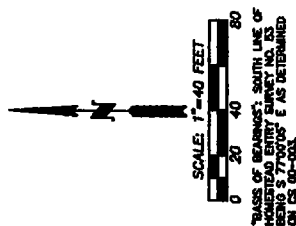
Area of easement: 0.24 acre, more or less.

\gabteasm



*renews 6-30-00*

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PORT ON SOUTH LANE HES 53 AND  
TO M. COLEMAN  
TRANSFER COMPLETE  
TRAILER TRAILER REMOVED  
PALETTE 2 1/2" ALUM CAP ON 2 1/2"  
ALUM ALUM. APE ESTABLISHED ON CS 84-04  
AND MOVED ON CS 84-00-001

NEW 30' TRAIL EASEMENT  
AREA = 0.24 ACRES, M/L  
PALLETTE TRACT RESURVEYED  
RECORDED AS CS 00-003, WALLAWA COUNTY SURVEYS.

NARRATIVE OF SURVEY  
THIS SURVEY WAS MADE AT THE REQUEST OF MR. GEORGE GABRIEL TO  
IDENTIFY THE BOUNDARY OF A NEW ACCESS AND PARKING AREA EASEMENT AND  
A NEW WAGL EASEMENT TO BE GRANTED TO USDA, FOREST SERVICE AS A  
REVENUE ACCESS TO THE EXISTING GRAYMAN CREEK TRAIL.

REFER TO RECORD SURVEY CS 84-001 AND CS 02-003 FOR ADDITIONAL INFORMATION ON THE SOUTH LINE OF HONESTED ENTRY SURVEY NO. 83 AND THE NORTH LINE OF THE "PALETTE TRACT RESERVE". FOREST ROAD NO. 2000S AND THE UMANIA RIVER LOCATIONS ARE BASED ON FIELD SURVEY MADE IN OCTOBER, 1986.

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

OREGON  
JULY 22, 1977  
WILLIAM R. WELLS  
1106  
GENUINE 6/30/78

WILLIAM R. WELLS, PLS 357 N.E. HWY. 11 P.O. BOX 166 PENDLETON, OR 97001 PHONE (541) 276-6862	DATE: 01/88	DR. BY:	NO.	98-081
CX. BY:	WHY			

LINE	TABLE	DISTANCE
L1	135.41	38.11
L2	135.41	8.87
L3	135.41	10.00
L4	135.41	10.00
L5	135.41	42.74
L6	135.41	18.00
L7	135.41	7.78
L8	135.41	1.00
L9	135.41	1.00
L10	135.41	23.66
L11	135.41	14.13
L12	135.41	13.00
L13	135.41	20.00
L14	135.41	1.00
L15	135.41	18.00
L16	135.41	18.00
L17	135.41	27.51
L18	135.41	33.51
L19	135.41	33.51
L20	135.41	33.51
L21	135.41	48.71
L22	135.41	38.43
L23	135.41	38.43

- ② - FOUND 2 1/2" DIA. CUP ON 2 1/2" ALUMINUM PIPE
- - MOUNTING FOUND AS NOTED.
- ③ - SET 1/2" DIA. CUP WITH 2 1/2" ALUMINUM PIPE. FOUND 2 1/2" DIA. CUP WITH 2 1/2" DIA. PIPE. FOUND 2 1/2" DIA. CUP WITH 2 1/2" DIA. PIPE. FOUND 2 1/2" DIA. CUP WITH 2 1/2" DIA. PIPE.
- ④ - NO 1/2" DIA. CUP FOUND. FOUND 2 1/2" DIA. CUP WITH 2 1/2" DIA. PIPE. FOUND 2 1/2" DIA. CUP WITH 2 1/2" DIA. PIPE. FOUND 2 1/2" DIA. CUP WITH 2 1/2" DIA. PIPE.
- ⑤ - CALCULATED POINT ONLY. NOT SET OR FOUND.
- (000) - RECORD DIMENSION FROM CS 84-04.
- (000) - RECORD DIMENSION FROM CS 80-00.

**APPENDIX B  
COMMUNITY PROJECTS**

**Appendix B-1  
Community Project 1**

**Attachment 4**

---

**Location of Existing and Temporary  
Trail Easements**

# 5460 RIGHT OF WAY PLAT WALLOWA-WHITMAN NATIONAL FOREST

T. 4 S., R. 48 E., W.M.  
WALLOWA COUNTY  
OREGON

EXHIBIT "A"

WAS 12/27/55-09-101 TO BE ACQUIRED

R. F. KERRICK, JR., et al.

Subsequent to the 0.00 acres, 12/27/55, 1955.  
Permanently Right-of-Way 12/27/55, 1955.

SCALE



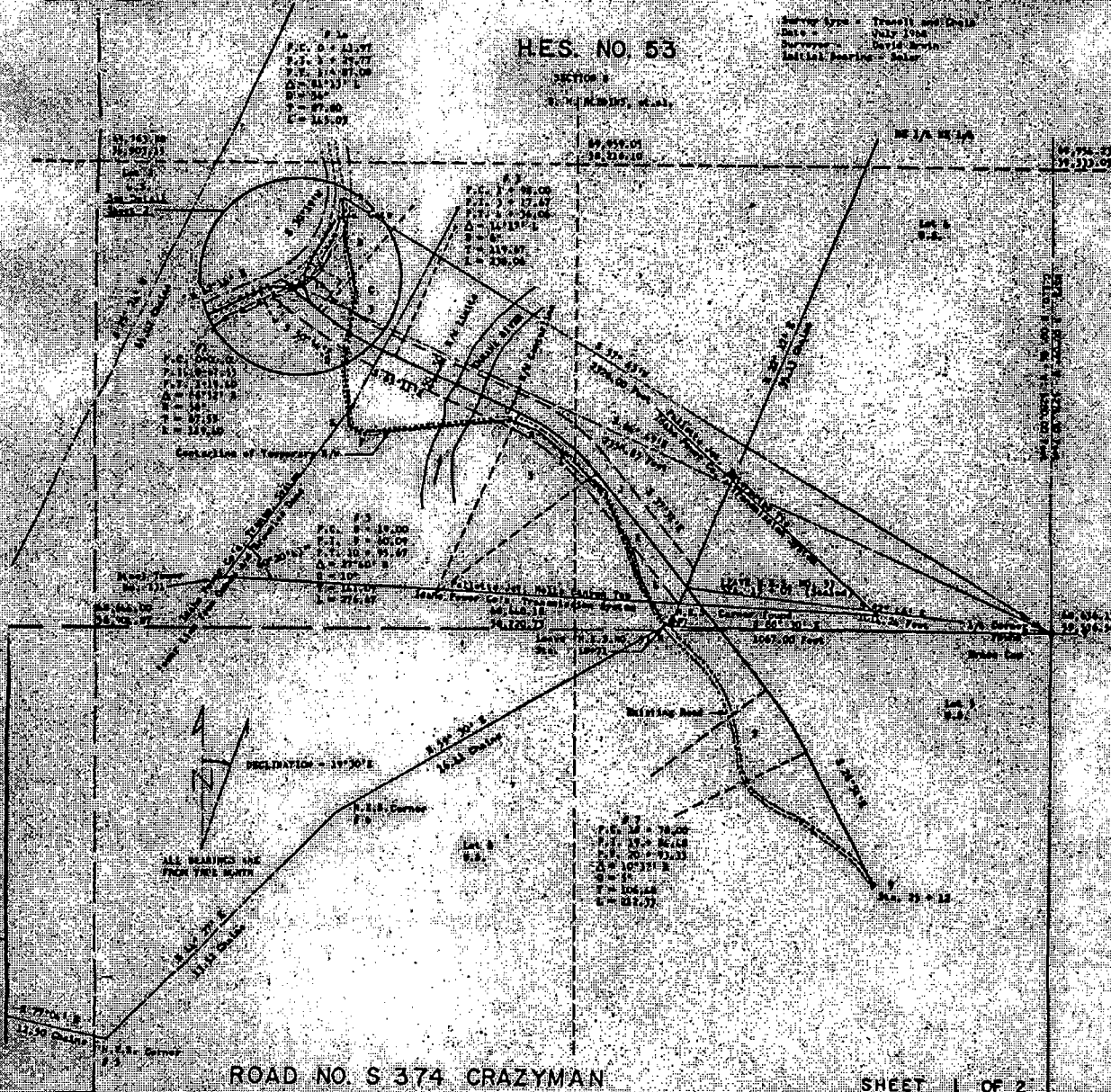
APPROVED: <i>[Signature]</i>	DATE: 1/1/56
REVIEWED BY: <i>[Signature]</i>	DATE: 1/1/56
DESIGNED BY: <i>[Signature]</i>	DATE: 1/1/56
TRACED BY: <i>[Signature]</i>	DATE: 1/1/56
CHECKED BY: <i>[Signature]</i>	DATE: 1/1/56

Survey Type - Transit and Chain  
Date - July 1954  
Surveyors - David Arvin  
Initial Bearing - Sider

H.E.S. NO. 53

SECTION 3

R. F. KERRICK, JR., et al.



ROAD NO. S 374 CRAZYMAN

SHEET 1 OF 2

5460  
RIGHT OF WAY PLAT  
WALLOWA-WHITMAN NATIONAL FOREST

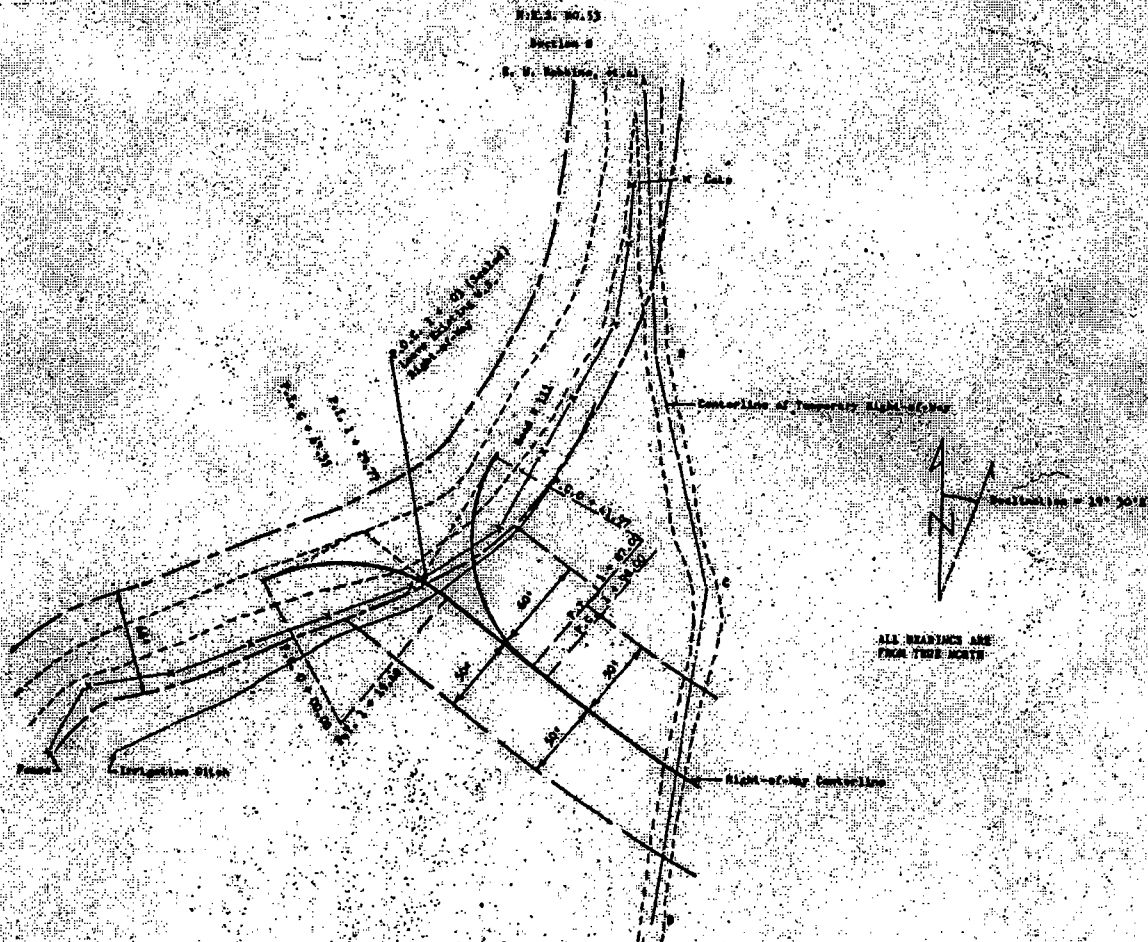
T. 4 S., R. 48 E., W.M.  
WALLOWA COUNTY  
OREGON

EXHIBIT "A"

SCALE



APPROVED: <i>[Signature]</i>	DATE: <i>7/1/69</i>
REVIEWED: <i>[Signature]</i>	DATE: <i>5/5/69</i>
DRAWN BY: <i>[Signature]</i>	DATE: <i>5/1/69</i>
TRACED BY: <i>[Signature]</i>	DATE: <i>5/1/69</i>
CHECKED BY: <i>[Signature]</i>	DATE: <i>7/1/69</i>



ROAD NO. S 374 CRAZYMAN

SHEET 2 OF 2

Recorded September 16th, 1969 at 9:01 a. m., Marjorie Martin, County Clerk

By *Marjorie Martin* County Clerk



**APPENDIX B**  
**COMMUNITY PROJECTS**

**Appendix B-2**  
**Community Project 2**

---

## Appendix B-2: Community Project 2

1. Within 60 days of entry of the Consent Decree, Gabriel shall pay the sum of Fifty Thousand Dollars (\$50,000) into an interest-bearing trust account, which account shall be established, owned and maintained by the Nez Perce Tribe for the sole purpose of funding the maintenance by the United States Geological Survey of the present river gauge on the Imnaha River in the town of Imnaha, Oregon. A portion (approximately 25%) of the maintenance of the present river gauge on the Imnaha River is currently funded, and is expected by the Nez Perce Tribe to continue to be funded, by the Bonneville Power Administration as part of a contract with the Nez Perce Tribe for the Northeast Oregon Hatchery Project. In the event that this Bonneville Power Administration funding ceases to be available, the trust shall be accessible to cover the costs currently covered by the Bonneville Power Administration funding.

2. The trust account referred to in the preceding paragraph shall be maintained by the Nez Perce Tribe for the sole purpose of making payments to the United States Geological Survey. No monies from the trust account may be transferred to any entity other than the United States Geological Survey without the written authorization of the United States of America, by and through the United States Environmental Protection Agency.

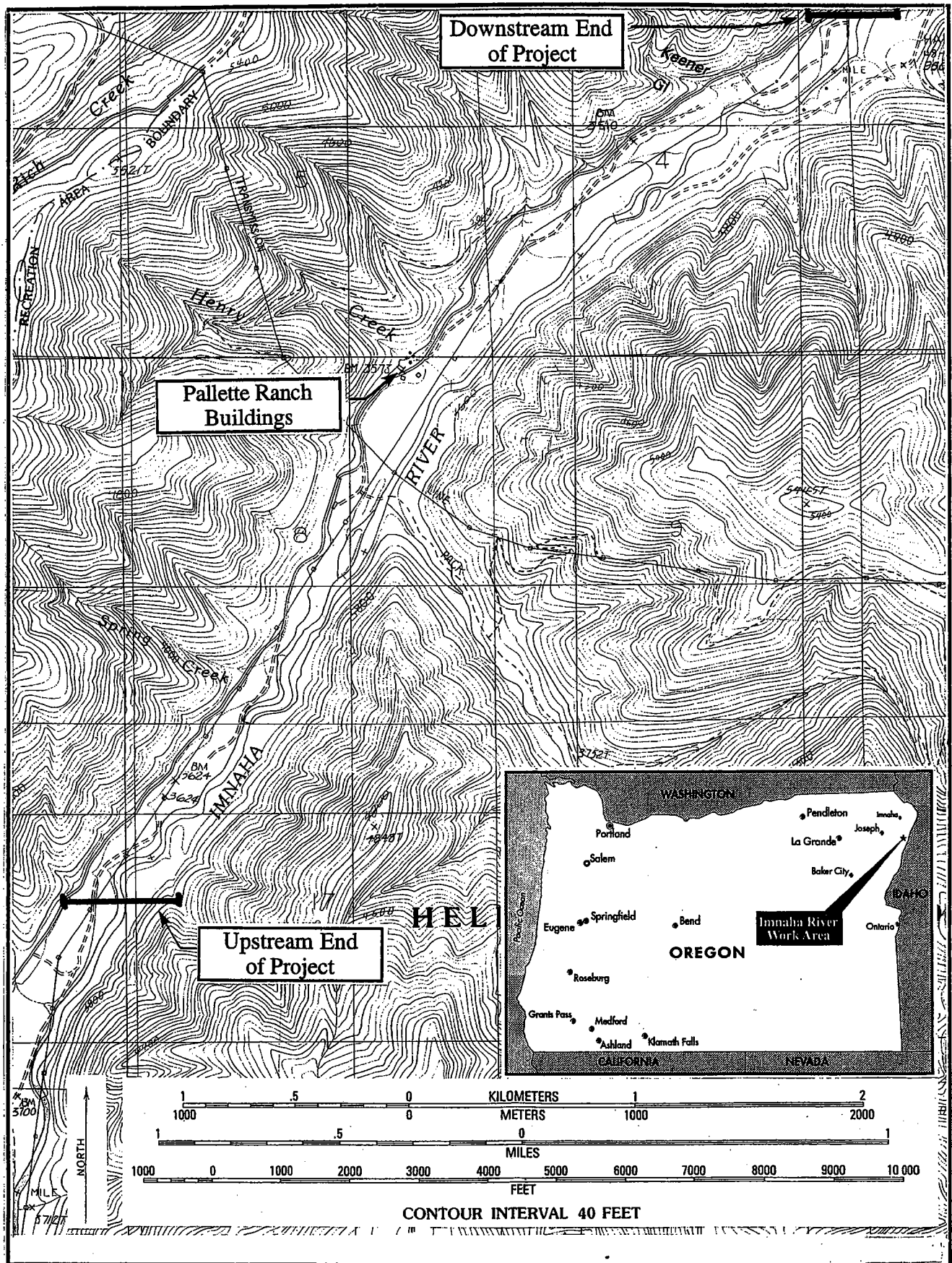
3. No later than sixty (60) days after entry of this Consent Decree, or such longer period as Gabriel and the EPA shall agree in writing, Gabriel shall obtain a letter agreement between the Nez Perce Tribe and Gabriel under which the Nez Perce Tribe shall annually, on or about the anniversary of the establishment of the trust account, transmit a report to EPA at the address identified in Paragraph 44 (Addresses) of the Consent Decree. That letter agreement shall provide that the report shall identify (1) the recipient of each transfer of monies from the trust account and the amount of each transfer, (2) the amount of money remaining in the trust account, and (3) such other information as agreed by the Tribe and EPA. This reporting requirement shall terminate following the report issued after all funds in the trust account have been disbursed. The letter agreement shall also provide that the federal agencies identified in Paragraph 44 (Addresses) may obtain, upon request, copies of the statements for the trust account. Gabriel shall provide a copy of the letter agreement to EPA within ten (10 ) days of its execution.

4. Gabriel hereby certify that, as of the date of signing this Consent Decree, they are not required, by virtue of any other local, state or federal statute, regulation, order, consent decree or other law or voluntary agreement, to develop or implement the Community project described above. Gabriel further certify that they have not received credit in any other enforcement action for the Community project, and they agree that they will not in the future use the Community project described above to obtain credit in any local, state, or federal enforcement action, regulatory process, or voluntary agreement.

## **Appendix C**

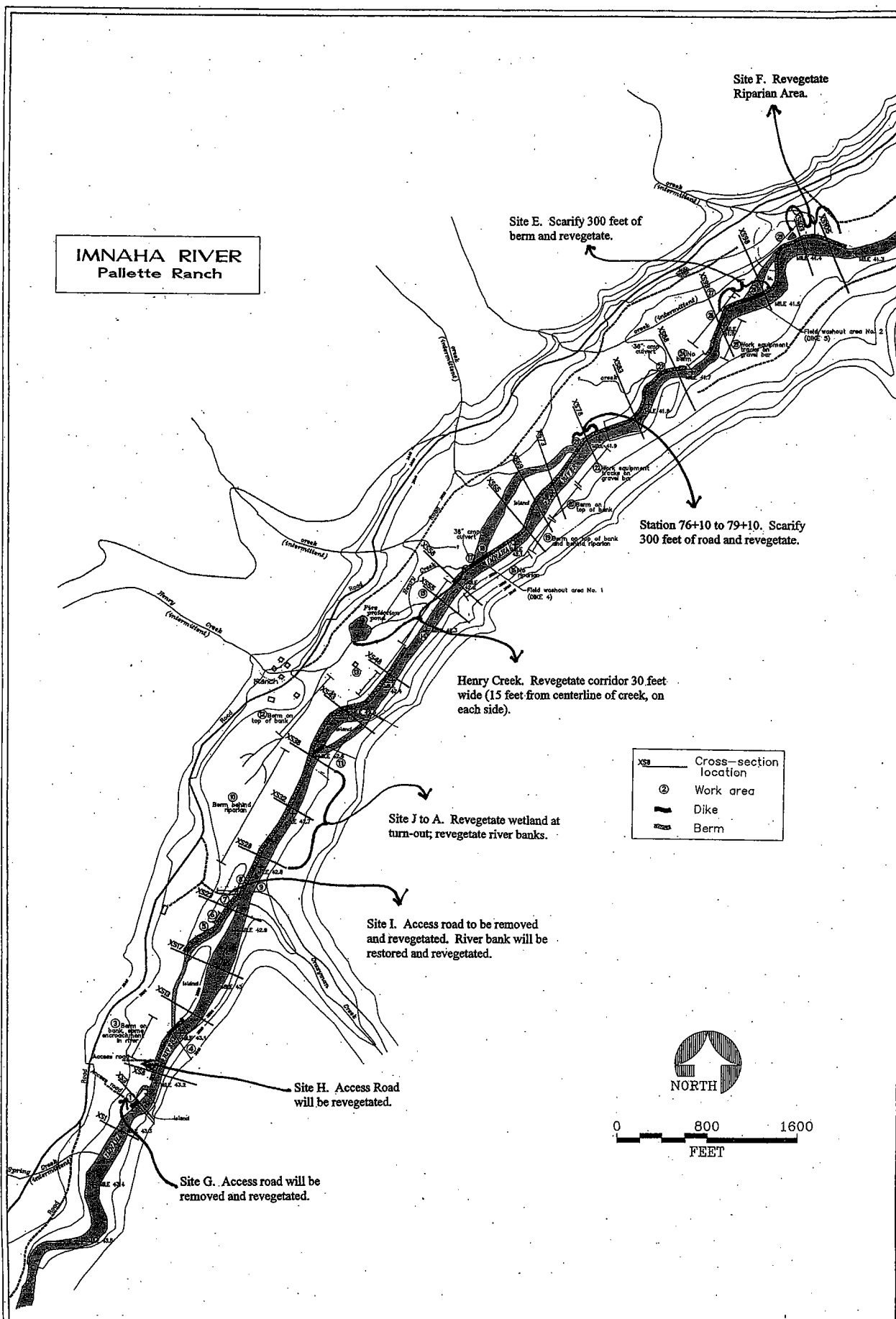
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### **Restoration and Revegetation Locations**



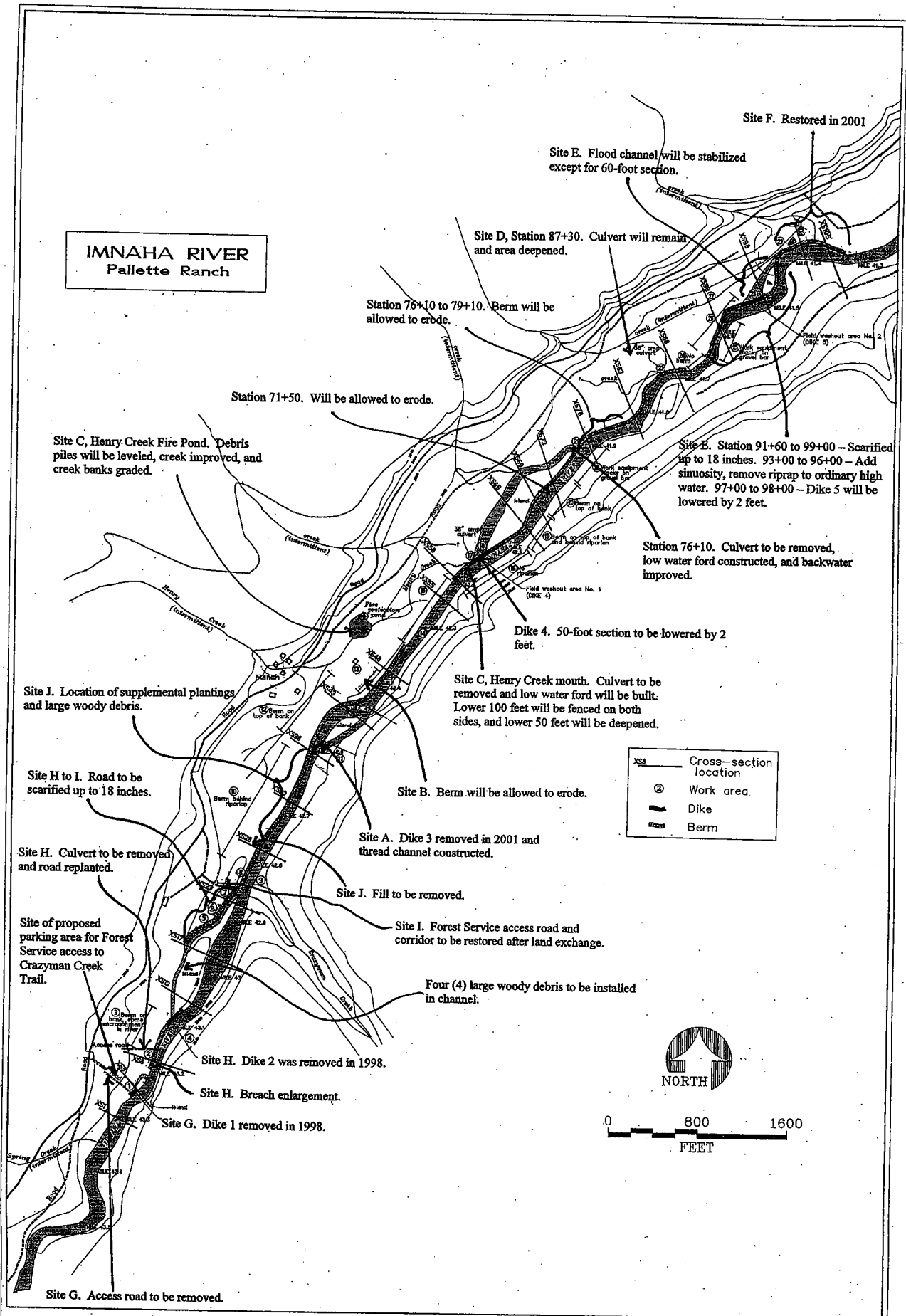
Project Vicinity - Palette Ranch Project, Wallowa County, Oregon.

Figure  
1



Location of revegetation areas, Palette Ranch, Oregon.

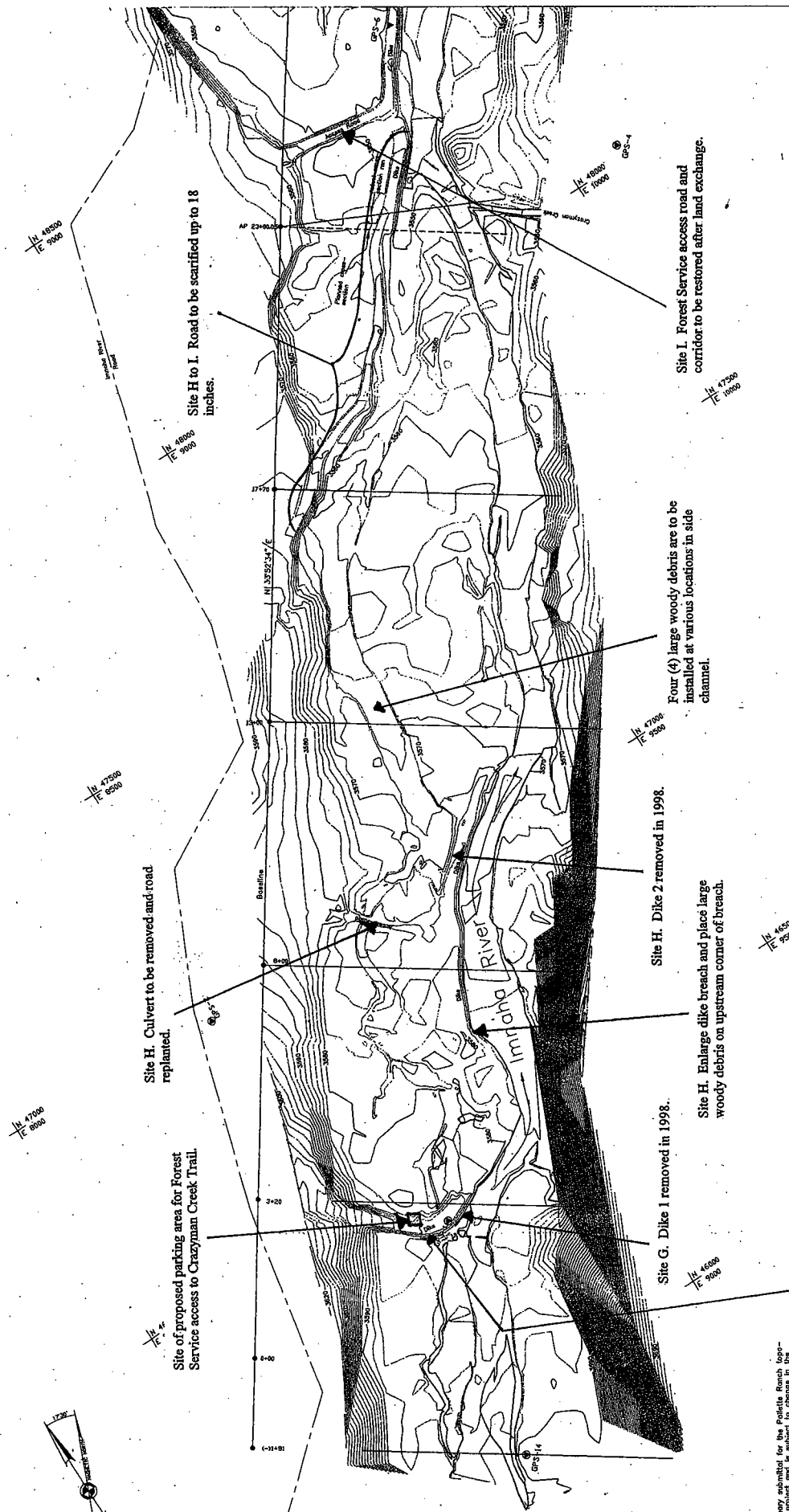
FIGURE  
2



Locations of work areas along the Imnaha River, Palette Ranch, Oregon

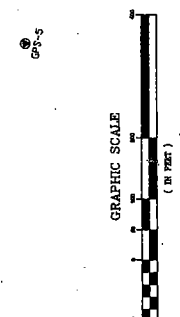
FIGURE

A



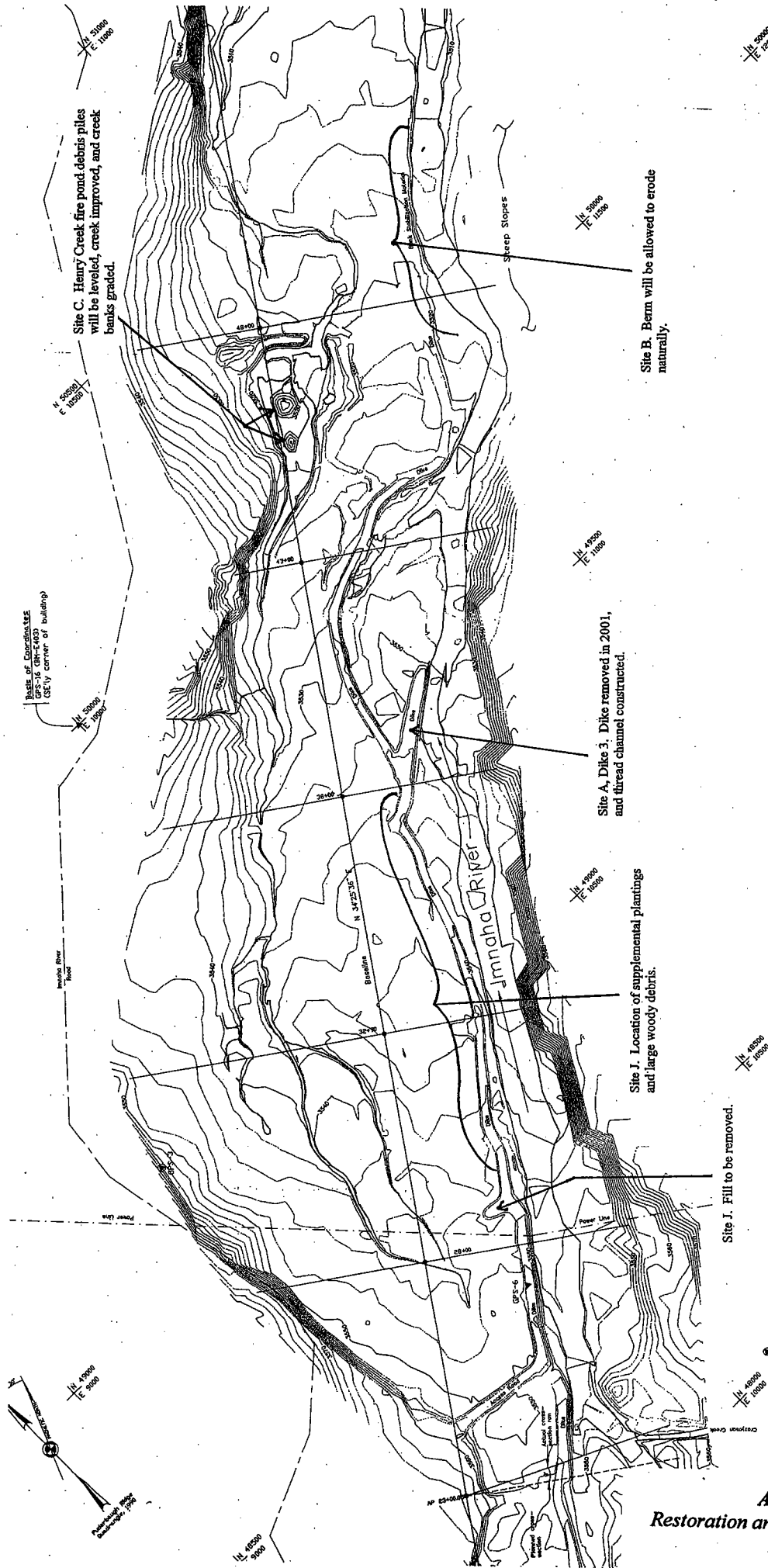
**FIGURE B**

<b>Wallowa Associates</b> P.O. Box 847 Joseph, Oregon 97854-0847 (503) 435-2019	
<b>Topographic Map - Palette Ranch</b> 148 R4E Willamette Meridian, Oregon	
SCALE 1" = 100' GRAPHIC SCALE	SHEET NO. 1 of 4 DATE OF SURVEY 10/13/2000 PROJECT NO. C-62525



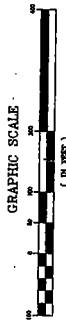
- Legend**
- ▲ GPS positioned control point
  - GPS positioned photo control point
  - Bench Mark included within vertical network
  - Horizontal position is approximate
  - Stationing along baseline
  - ↑ Position of the cross-section offset in relation to the baseline station
  - Hydrography (to wet) from photo interpretation

- Notes:**
- This is a preliminary map submitted for the Palette Ranch topographic mapping project and is subject to change in the final edition.
  - The map is derived from a combination of data gathered by GPS, aerial photography, and conventional ground survey methodology.
  - Horizontal positioning is on an assumed local datum with GPS 16 on the Basis of Coordinates of N=50,000 E=10,000.
  - Vertical control was established using three (3) local National Geodetic Survey (NGS) bench marks, and U.S. National Geodetic Survey (NGS) 16.
  - State of Oregon is the true meridian derived from GPS observations.
  - The Imbina River Road and the adjacent area are shown as 1998 photography. The area shown as 1998 photography is the area shown as 1998 photography.
  - BE AWARE: The contours of the bottom of the Imbina River are by photographic methods and are subject to change. The contours of the bottom of the Imbina River are by photographic methods and are subject to change. The contours of the bottom of the Imbina River are by photographic methods and are subject to change.
  - Aerial photography was flown on February 18, 1998.



**FIGURE C**

<b>Wallows Associates</b> P.O. Box 107 Joseph, Oregon 97848 (541)432-9048		<b>Topographic Map - Pallette Ranch</b> 115 R4SE Willamette Meridian, Oregon	
SCALE	1" = 100'	SHEET No.	2 of 4
DRAWN BY	W.A.	CHECKED	W.A.
DATE OF SURVEY	2007	PROJECT No.	WA - 712041/712





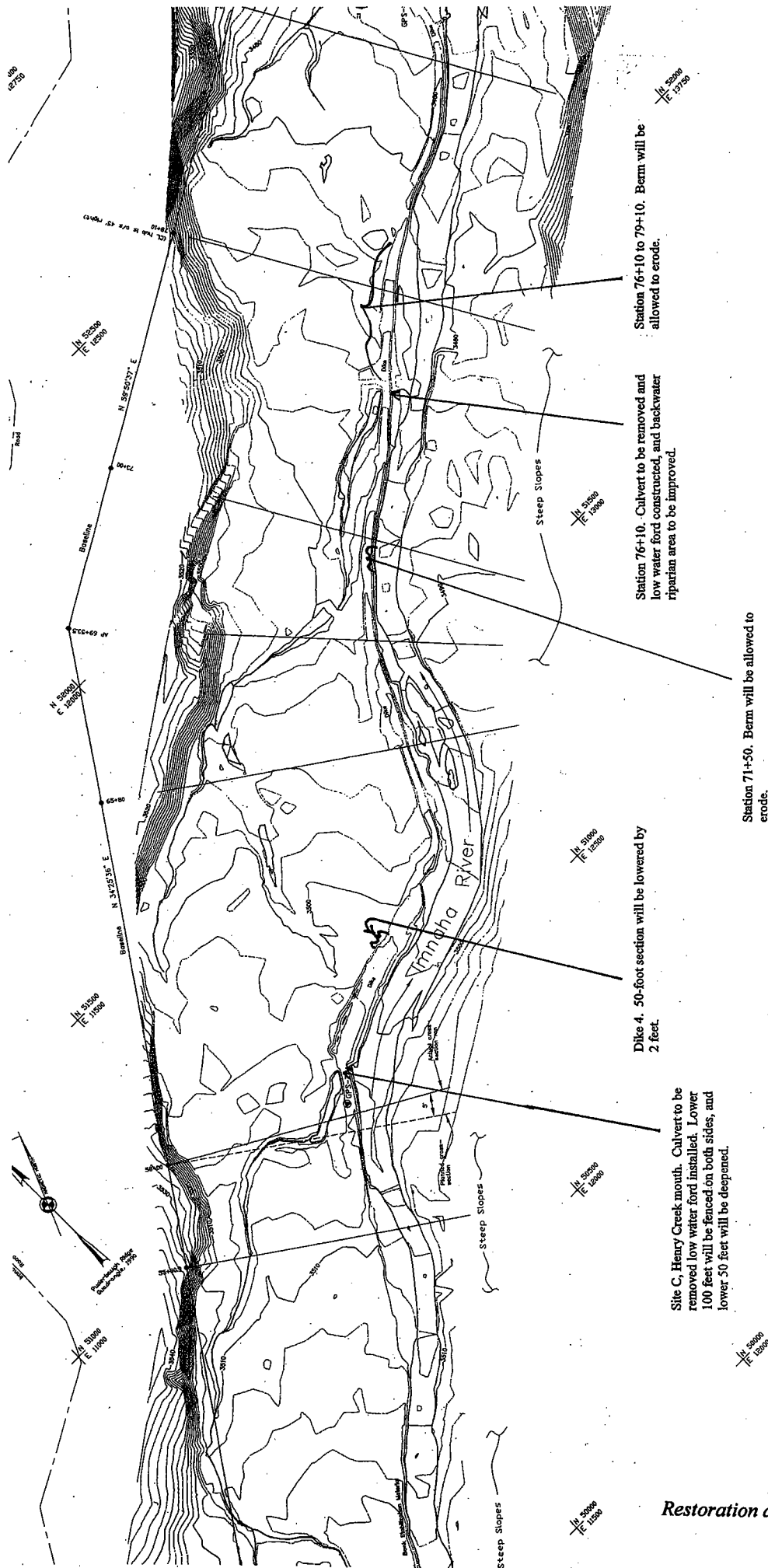
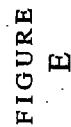


FIGURE D

- Legend**
- ▲ GPS positioned control point
  - GPS positioned photo control point
  - Photo mark located within vertical network
  - Photo mark located within horizontal network
  - Stationing along baseline
  - ↑ Position of the cross-section effects in relation to the baseline station
  - Hydrography (ix, wet) from photo interpretation



Willow Associates	
Joseph, Oregon 97846	
(503) 432-8049	
Topographic Map - Palette Ranch	
VPM	
TAS PAGE Wilamette National Forest, Oregon	
SCALE	DATE OF SURVEY
1" = 100'	3 of 4
DRAWN BY	CHECKED
PROJECT NO.	



GRAPHIC SCALE  
(in inches)

**APPENDIX C**  
**Restoration and Revegetation Locations**  
**Page 7 of 7**

## **Appendix D**

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**Notice to Be Recorded After Entry of  
Consent Decree Pursuant to Paragraph 23**

Appendix D – Notice to Be Recorded After Entry of Consent Decree Pursuant to Paragraph 23

The following Notice shall be recorded in the Recorder of Deeds' Office in Wallowa County, Oregon with the appropriate dates:

NOTICE

A Consent Decree dated \_\_\_\_\_, was entered in the United States District Court for the District of Oregon, and is described in the public notice published in the Federal Register dated \_\_\_\_\_.

ON BEHALF OF THE UNITED STATES:

KELLY A. JOHNSON  
Acting Assistant Attorney General  
Environment and Natural Resources Division

\_\_\_\_\_  
Michael J. Zevenbergen  
U.S. Department of Justice  
c/o NOAA/Damage Assessment  
7600 Sand Point Way NE  
Seattle, WA 98115

Dated: \_\_\_\_\_

For George Gabriel, The Palette Ranch, a general partnership

\_\_\_\_\_

Dated: \_\_\_\_\_

Consent Decree

## **Appendix E**

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### **Notice to be Recorded After Termination of Consent Decree Pursuant to Paragraph 49**

Appendix E – Notice to be Recorded After Termination of Consent Decree Pursuant to Paragraph 49

The following document shall be recorded in the Record of Deeds' Office in Wallowa County, Oregon with the appropriate date:

Consent Decree

Notice of Consent Decree

A Consent Decree setting forth the obligations of certain named parties with respect to the Palette Ranch in Wallowa County, Oregon (Tax Lots TL 300 and TL 400, Township 4 South, Range 48 East of the Willamette Meridian, Wallowa County) was entered in the United States District Court for the District of Oregon on \_\_\_\_\_. The obligations in the Consent Decree have been satisfied, and the Consent Decree has been terminated. Notwithstanding this termination, any owner or successor in interest to the Palette Ranch in Wallowa County Oregon shall not mow, cut, clear, cultivate, dredge, excavate, farm, fill, dewater, drain, develop, re-contour, use non-farming-related heavy equipment upon, or build structures of any size, at the restoration locations described in the figures attached hereto, except as (1) authorized by a Clean Water Act permit issued by the United States Army Corps of Engineers (for activities in waters of the United States), or (2) authorized by the U.S. Forest Service (for activities outside of waters of the United States).

ON BEHALF OF THE UNITED STATES:

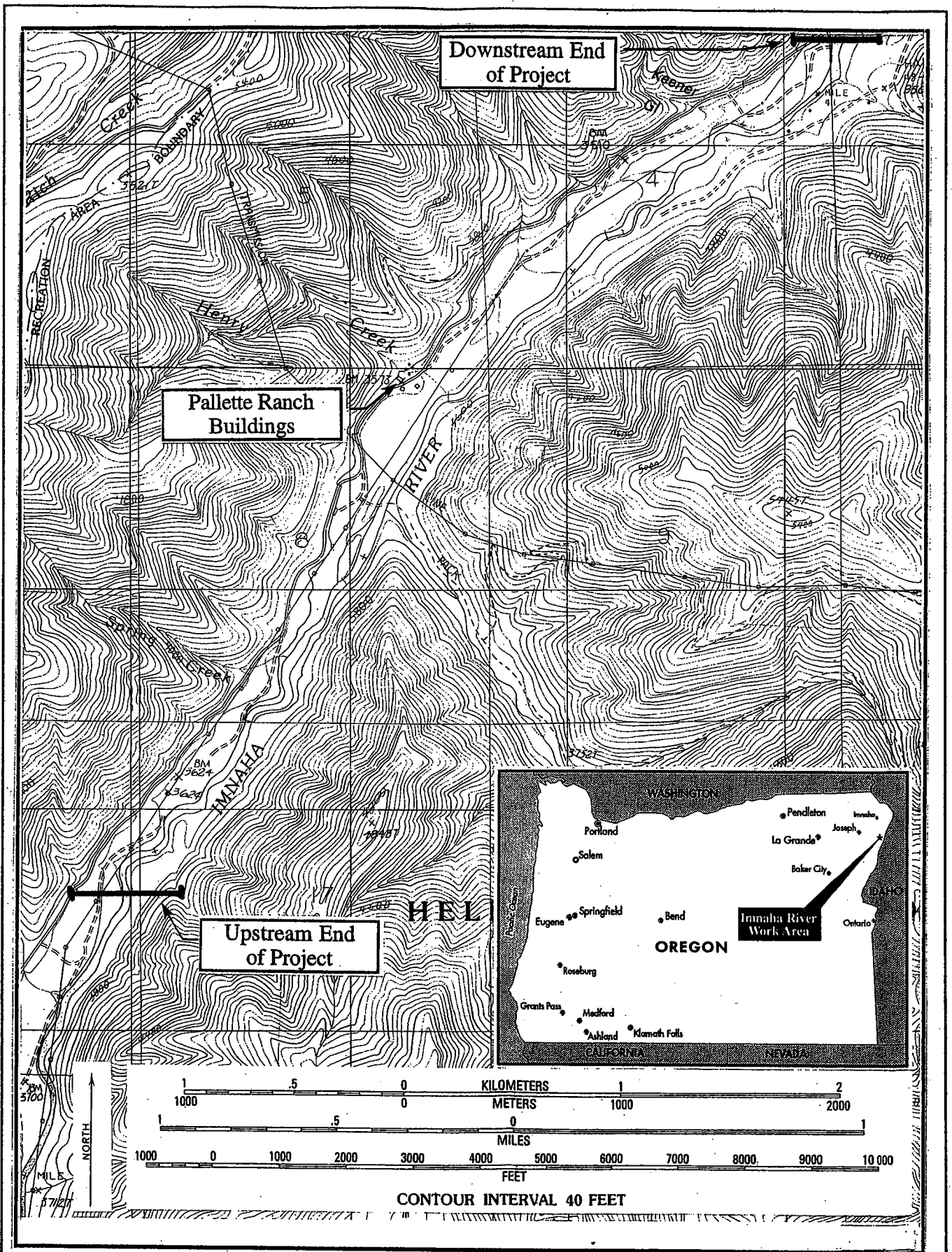
KELLY A. JOHNSON  
Acting Assistant Attorney General  
Environment and Natural Resources Division

\_\_\_\_\_  
Michael J. Zevenbergen  
U.S. Department of Justice  
c/o NOAA/Damage Assessment  
7600 Sand Point Way NE  
Seattle, WA 98115

Dated: \_\_\_\_\_

For George Gabriel, The Palette Ranch, a general partnership

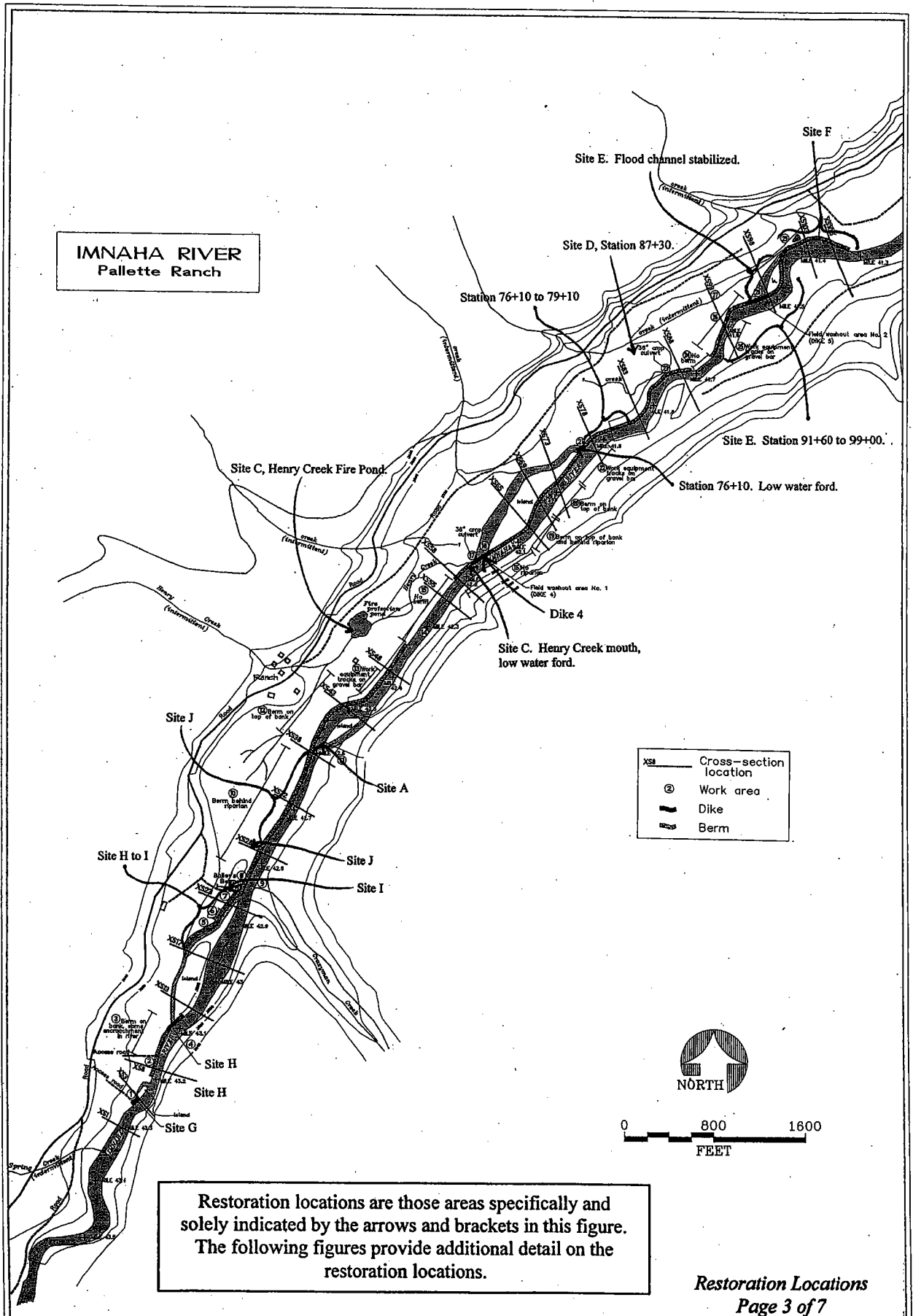
\_\_\_\_\_ Dated: \_\_\_\_\_



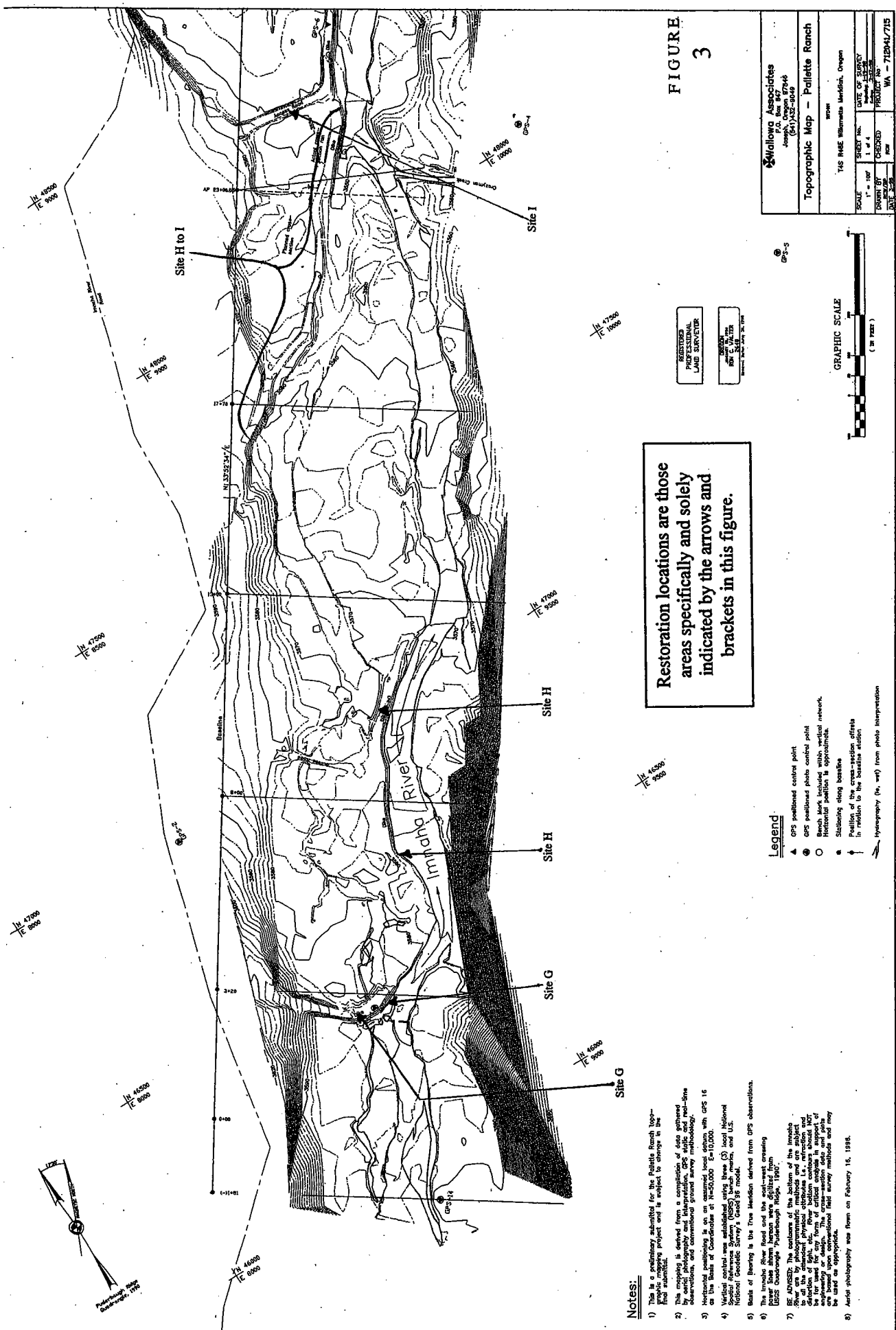
Project Vicinity - Palette Ranch Project, Wallowa County, Oregon.  
(does not show restoration locations)

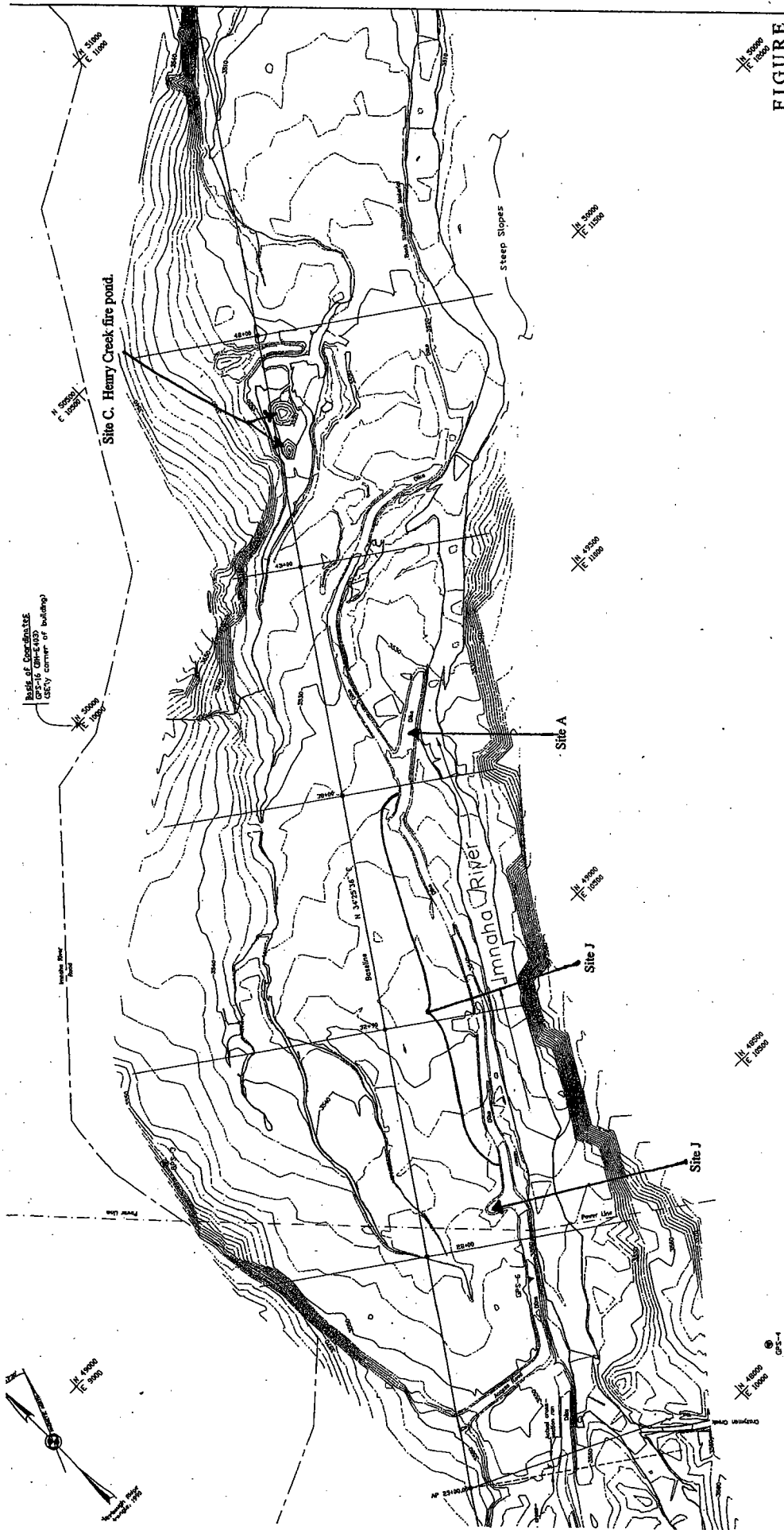
Figure  
1





Restoration Locations along the Imnaha River, Palette Ranch, Oregon.





<b>Wallawa Associates</b> 745 N.E. Williams Blvd. P.O. Box 887 Junction City, Oregon 97130 (503) 325-2222	
<b>Topographic Map - Palette Ranch</b>	
SCALE 1" = 100' DRAWN BY DATE	SHEET NO. 2 of 4 CHECKED PROJECT NO. WA - 712041/715

